

INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT  
\*FOR PUBLIC RELEASE\*

CASE REPORT: DP160132768-0000  
INCIDENT TYPE: UNKNOWN  
LOCATION: 500 N MERIDIAN ST  
DISTRICT: MDT BEAT: DT20  
OCCURRED: 11/2/2016 AT 19:38  
REPORTED: 11/2/2016 AT 19:52  
INCIDENT OFFENSE 1: 35-48-I : CONTROLLED SUBSTANCE- DEALING MARIJUANA  
WEAPON USED:  
INCIDENT OFFENSE 2: 35-48-J : CONTROLLED SUBSTANCE- POSSESSION/CULTIVATION  
MARIJUANA  
WEAPON USED:  
INCIDENT OFFENSE 3: 35-48-D : CONTROLLED SUBSTANCE- POSSESS PARAPHERNALIA  
WEAPON USED:

PERSON: 1  
INVOLVEMENT: ARRESTEE/SUSPECT / OFFENDER/OTHER CONTACT PERSON  
NAME: HEMPHILL, WILLIE J  
RACE: B SEX: M  
DOB: 9/10/1971 AGE: 45  
SSN:  
HGT: WGT:  
HAIR: BLK EYES:  
ID(OLN): 0880739019 IN  
ADDRESS(RESIDENCE): 27 N GRAY ST  
CITY: INDIANAPOLIS STATE: IN ZIP:  
ADDRESS(RESIDENCE): 27 N GRAY ST1033 E WASHINGTON ST  
CITY: INDIANAPOLIS STATE: IN ZIP:  
CHARGE 1: 35-48-4-11 F-CONTROLLED SUBSTANCE- POSSESSIONCULTIVATION OF  
MARIJUANA/HASHISH/SALVIA /F  
CHARGE 2: 35-48-4-10 F-CONTROLLED SUBSTANCE- MANUFACTURE/DEALING  
MARIJUANA/HASHISH/SALVIA /F

PERSON: 2  
INVOLVEMENT: ARRESTEE/SUSPECT / OFFENDER/OTHER CONTACT PERSON  
NAME: MORGAN, JAMES  
RACE: B SEX: M  
DOB: 8/27/1962 AGE: 54  
SSN:  
HGT: WGT:  
HAIR: XXX EYES: BRO  
ID(MG): 000000708510  
ADDRESS(RESIDENCE): 502 E MARKET ST  
CITY: STATE: IN ZIP: 46204  
ADDRESS(RESIDENCE): 502 E MARKET ST520 E MARKET ST  
CITY: INDIANAPOLIS STATE: IN ZIP: 46204  
ADDRESS: 502 E MARKET ST520 E MARKET ST1848 E LUDLOW AVE  
CITY: INDIANAPOLIS STATE: IN ZIP: 46201  
PHONE(CELL): 317-531-9946  
PHONE(OTH): 317-531-9946 317-500-5753  
CHARGE 1: 35-48-4-8.3 M-CONTROLLED SUBSTANCE- POSSESSION OF PARAPHERNALIA  
/M

CHARGE 2: 35-48-4-10 M-CONTROLLED SUBSTANCE- MANUFACTURE/DEALING  
MARIJUANA/HASHISH/SALVIA /M  
CHARGE 3: 35-48-4-11 M-CONTROLLED SUBSTANCE- POSSESSION/CULTIVATION OF  
MARIJUANA/HASHISH/SALVIA /M

PERSON: 3  
INVOLVEMENT: SUSPECT / OFFENDER/ARRESTEE/OTHER CONTACT PERSON  
NAME: CARTER, ROCHELLE DENISE  
RACE: B SEX: F  
DOB: 6/27/1969 AGE: 47  
SSN:  
HGT: 506 WGT: 198  
HAIR: BLK EYES: BRO  
ID(OTHER): 4550-07-3525 IN  
ID(MG): 4550-07-3525 IN 000000451063 IN  
ADDRESS(RESIDENCE): 222 E MICHIGAN ST APT 305  
CITY: INDIANAPOLIS STATE: IN ZIP: 46204  
ADDRESS(RESIDENCE): 222 E MICHIGAN ST APT 3052036 E MITTHOEFFER  
RD APT 305  
CITY: INDIANAPOLIS STATE: IN ZIP: 46229  
ADDRESS: 222 E MICHIGAN ST APT 3052036 E MITTHOEFFER RD APT  
305222 E MICHIGAN ST APT 305  
CITY: INDIANAPOLIS STATE: IN ZIP: 46204  
PHONE(CELL): 317-366-5237  
PHONE(OTH): 317-366-5237 317-366-5237  
PHONE(CELL): 317-366-5237 317-366-5237 317-438-2171  
CHARGE 1: 35-48-4-8.3 M-CONTROLLED SUBSTANCE- POSSESSION OF PARAPHERNALIA  
/M  
CHARGE 2: 35-48-4-11 M-CONTROLLED SUBSTANCE- POSSESSION/CULTIVATION OF  
MARIJUANA/HASHISH/SALVIA /M

PERSON: 4  
INVOLVEMENT: OTHER CONTACT PERSON  
NAME: CAMPBELL, ROBERT ROBERT  
RACE: B SEX: M  
DOB: 6/7/1964 AGE: 52  
SSN:  
HGT: WGT:  
HAIR: BLK EYES: BRO  
ID(OLN): 8912196959 IN  
ID(MG): 8912196959 IN 000000354549 IN  
ADDRESS(RESIDENCE): 3822 DELMONT DE  
CITY: STATE: IN ZIP: 46236  
ADDRESS(RESIDENCE): 3822 DELMONT DE1835 N MERIDIAN ST  
CITY: INDIANAPOLIS STATE: IN ZIP: 46236

PROPERTY: 1  
INVOLVEMENT: SEIZED  
TYPE: MISC/NO CODE  
CATEGORY: MISC  
ARTICLE: METAL MARIJUANA GRINDER  
QUANTITY: 1  
MAKE: MODEL:  
SERIAL #:

MISC/OAN #:  
VALUE: 0

PROPERTY: 2  
INVOLVEMENT: SEIZED  
TYPE: DRUGS / NARCOTICS - CONTROLLED SUBSTANCE  
CATEGORY: DRUG  
ARTICLE: SMALL BAGGIES OF SUSPECTED MARIJUANA.  
QUANTITY: 29.76  
MAKE: MODEL:  
SERIAL #:  
MISC/OAN #:  
VALUE: 0

PROPERTY: 3  
INVOLVEMENT: SEIZED  
TYPE: DRUGS / NARCOTICS - CONTROLLED SUBSTANCE  
CATEGORY: DRUG  
ARTICLE: SMALL BAGGIES OF SUSPECTED MARIJUANA AND SUSPECTED MARIJUANA  
CIGARETTES.  
QUANTITY: 14.1  
MAKE: MODEL:  
SERIAL #:  
MISC/OAN #:  
VALUE: 0

PROPERTY: 4  
INVOLVEMENT: SEIZED  
TYPE: DRUGS / NARCOTICS - CONTROLLED SUBSTANCE  
CATEGORY: DRUG  
ARTICLE: SMALL BAGGIE OF SUSPECTED MARIJUANA.  
QUANTITY: 1.04  
MAKE: MODEL:  
SERIAL #:  
MISC/OAN #:  
VALUE: 0

MEDIA RELEASE NARRATIVE:  
OFFICERS ENCOUNTERED GROUP OF PEOPLE DRINKING ALCOHOLIC BEVERAGE  
IN A PARK. SEVERAL OF THE PERSONS WERE FOUND TO HAVE NARCOTICS  
AND WERE SUBSEQUENTLY ARRESTED.

OFFICERS:  
1: ARRESTING / CITING: PATROL OFFICER-WALTERS, JOHN: W8300  
2: REPORTING: PATROL OFFICER-WALTERS, JOHN: W8300  
3: APPROVING: SERGEANT-BROWN, TONY: B7086  
4: ASSISTING: SGT.-GREGORY, MARK: G9559  
END OF REPORT

## Inmate Database Search

## Inmate Database Search Results

## Inmate Information

To return to the Search Results page, click on the Inmate Database Search Results tab, or to revise your search, click on the Inmate Database Search tab.

## Name: WILLIE J HEMPHILL

<b>Sex:</b>	M	<b>DOB:</b>	09/10/1971
<b>Height:</b>	510	<b>Weight:</b>	190
<b>Hair Length:</b>		<b>Hair Color:</b>	BLACK
<b>Complexion:</b>		<b>Eye Color:</b>	BROWN

## Inmate Information

<b>Booking #:</b>	1644812	<b>Race:</b>	Black
<b>Permanent ID #:</b>	000000683723	<b>Ethnicity:</b>	NON-HISPANIC
<b>State ID:</b>		<b>Marital Status:</b>	
<b>Police/County ID:</b>		<b>Citizen:</b>	UNITED STATES
<b>FBI #:</b>		<b>Country of Birth:</b>	UNITED STATES
<b>ICE #:</b>			

## Incarceration Information

<b>Current Housing Section:</b>		<b>Current Location:</b>	APC
<b>Current Housing Block:</b>		<b>County:</b>	
<b>Current Housing Cell:</b>		<b>Commitment Date:</b>	11/02/2016
<b>Current Housing Bed:</b>		<b>Release Date:</b>	11/03/2016 17:02

Please Note: Projected Release Date is subject to change.

## Alias Information

There are no aliases for this inmate.

## Detainer Information

There is no detainer information for this inmate.

## Bond Information

<b>Case #:</b>	49G14-1611-F6-043092	<b>Amount:</b>		<b>Percent:</b>		<b>Additional:</b>		<b>Total:</b>	
<b>Bond Type:</b>		<b>Status:</b>		<b>Posted By:</b>		<b>Post Date:</b>		<b>Grand Total:</b>	\$0.00

## Charge Information

Case #	Offense Date	Code	Description	Grade	Degree
49G14-1611-F6-043092		35-48-4-10(a)(1)	Dealing in Marijuana	6	F
49G14-1611-F6-043092	11/02/2016	35-48-4-11(a)(2)	Possession of Marijuana	6	F
49G14-1611-F6-043092	11/02/2016	35-48-4-10(a)(1)	Dealing in Marijuana	6	F
49G14-1611-F6-043092		35-48-4-11(a)(1)	Possession of Marijuana	A	M

## Hearing Information

There is no hearing information for this inmate.



CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

State of Indiana

v.

**WILLIE HEMPHILL**

§  
§  
§  
§  
§  
§

Location: **Marion Superior Court,  
Criminal Division 14**  
Judicial Officer: **Salinas, Jose D**  
Filed on: **11/03/2016**  
Police Agency Number: **DP160132768**  
Prosecutor Case Management Number: **49-DM1242514**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	F6 - Felony 6
1. 35-48-4-10(a)(1)/F6: Dealing in Marijuana Def. has a prior drug conviction and the weight is less t	35-48-4-10(a) (1)	F6	11/02/2016	Case Status:	<b>06/25/2018 Decided</b>
2. 35-48-4-11(a)(1)/MA: Possession of Marijuana	35-48-4-11(a) (1)	MA	11/02/2016	Case Flags:	<b>Electronically Filed</b>

**Related Cases**

49G14-1611-CM-043093 (Co-Defendant Case)  
49G14-1611-CM-043094 (Co-Defendant Case)

**Statistical Closures**

06/25/2018 Guilty Plea or Admission

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

Case Number	49G14-1611-F6-043092
Court	Marion Superior Court, Criminal Division 14
Date Assigned	11/03/2016
Judicial Officer	Salinas, Jose D

**PARTY INFORMATION**

*Attorneys*

**State Plaintiff**      **State of Indiana**

**Defendant**      **HEMPHILL, WILLIE**  
*501 W MAIN ST  
Plainfield, IN 46168  
Black Male Height 5' 10" Weight 190  
DOB: 09/10/1971 Age: 45  
DL: IN 0880739019  
Other Agency Number: 000000683723 Indianapolis Metropolitan Police*

**McGinley, James Michael**  
**Anthony**  
*Retained  
317-635-2692(F)  
317-507-5400(W)  
151 N Delaware St., STE  
1950  
Indianapolis, IN 46204  
jamesmcginleylaw@gmail.com*

**O'Connell, Ryan Thomas**  
*Retained  
317-327-4100(W)  
120 E Market ST  
Indianapolis, IN 46204  
ryan@ryanocconnelllaw.com*

**Wallace, Robert Scott**  
*Retained  
317-631-2130(W)  
P.O. Box 2911  
Indianapolis, IN 46206  
scott@scottwallacelaw.com*








CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**  
EVENTS & ORDERS OF THE COURT

DATE

INDEX

DATE	EVENTS & ORDERS OF THE COURT	INDEX
11/03/2016	<b>Initial Hearing (3:15 PM)</b> (Judicial Officer: Boyce, John Jay - M) <i>Commenced and concluded</i> <i>Parties Present: Defendant HEMPHILL, WILLIE</i>	
11/03/2016	Case Opened as a New Filing	
11/03/2016	Case Filed Electronically <i>Added By EFile Manager</i>	
11/03/2016	 Information Filed File Stamp: 11/03/2016 Filed By: State Plaintiff State of Indiana <i>Information</i>	
11/03/2016	 Information Filed File Stamp: 11/03/2016 Filed By: State Plaintiff State of Indiana <i>Prior Dealing Marijuana Conviction</i>	
11/03/2016	 Information Filed File Stamp: 11/03/2016 Filed By: State Plaintiff State of Indiana <i>Prior Marijuana Conviction</i>	
11/03/2016	 Probable Cause Affidavit Filed File Stamp: 11/03/2016 Filed By: State Plaintiff State of Indiana <i>Hemphill, WilliePC.pdf</i>	
11/03/2016	 Discovery Filed File Stamp: 11/03/2016 Filed By: State Plaintiff State of Indiana <i>Hemphill, Willie CM History.pdf</i>	
11/03/2016	 Discovery Filed File Stamp: 11/03/2016 Filed By: State Plaintiff State of Indiana <i>Hemphill, Willie Gallery History.pdf</i>	
11/03/2016	 Hearing Scheduling Activity <i>Initial Hearing scheduled for 11/03/2016 at 3:15 PM.</i>	
11/03/2016	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 11/07/2016 at 1:00 PM.</i>	
11/03/2016	Omnibus Date <i>12-18-16</i>	
11/03/2016	Probable Cause Found: Order Issued (Judicial Officer: Boyce, John Jay - M ) Order Signed: 11/03/2016	
11/03/2016	 Advisement of Rights Conducted (Judicial Officer: Boyce, John Jay - M )	
11/03/2016	Order to Release From Custody To Be Held For Other Agency (Judicial Officer: Boyce, John Jay - M )	

CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

	Order Signed: 11/03/2016 <i>direct transport to mccc as to this case</i>
11/03/2016	Administrative Event <i>court card given</i>
11/03/2016	<b>Interim Condition for HEMPHILL, WILLIE</b> (Judicial Officer: Boyce, John Jay - M Exp: 02/13/2017)  - Community Corrections - Drug/Alcohol Monitoring
11/03/2016	 Conditions of Community Corrections
11/04/2016	Automated Paper Notice Issued to Parties Sent To: Defendant HEMPHILL, WILLIE
11/07/2016	<b>Pretrial Conference</b> (1:00 PM) (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i> <i>Parties Present: Defendant HEMPHILL, WILLIE</i>
11/07/2016	Hearing Scheduling Activity <i>Status of Counsel Hearing scheduled for 12/05/2016 at 1:00 PM.</i>
11/07/2016	 Administrative Event
11/08/2016	Automated Paper Notice Issued to Parties Sent To: Defendant HEMPHILL, WILLIE
12/05/2016	<b>Status of Counsel Hearing</b> (1:00 PM) (Judicial Officer: Christ, John Michael-C) <i>Commenced and concluded</i> <i>Parties Present: Defendant HEMPHILL, WILLIE</i>
12/05/2016	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 01/09/2017 at 1:00 PM.</i>
12/05/2016	 Indigent Counsel Appointed at County Expense <i>\$100 public defender fee accessed</i>
12/06/2016	Automated Paper Notice Issued to Parties <i>Hearing Scheduling Activity ---- 12/5/2016 : WILLIE HEMPHILL</i>
12/06/2016	 Appearance Filed File Stamp: 12/06/2016 For Party: Defendant HEMPHILL, WILLIE <i>PDIS Filing - Marion County Appearance Form</i>
12/08/2016	 Discovery Filed File Stamp: 12/08/2016 Filed By: State Plaintiff State of Indiana <i>Discovery, Supplemental (Muni)</i>
12/21/2016	 Discovery Filed File Stamp: 12/21/2016 Filed By: State Plaintiff State of Indiana <i>Discovery, Initial (Strike)</i>
01/05/2017	 Appearance Filed

CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

	File Stamp: 01/05/2017 For Party: Defendant HEMPHILL, WILLIE <i>PDIS Filing - Marion County Conflict Appearance Form</i>
01/06/2017	Automated Paper Notice Issued to Parties <i>Appearance Filed ---- 1/5/2017 : Robert Scott Wallace</i>
01/06/2017	Automated ENotice Issued to Parties <i>Appearance Filed ---- 1/5/2017 : Ryan Thomas O'Connell</i>
01/09/2017	<b>Pretrial Conference (1:00 PM)</b> (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i> <i>Parties Present: Attorney Wallace, Robert Scott</i> <i>Defendant HEMPHILL, WILLIE</i>
01/09/2017	 Service Returned Not Served
01/09/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 02/13/2017 at 9:00 AM.</i>
01/09/2017	 Administrative Event <i>Minute sheet 01/09/2017</i>
01/10/2017	Automated Paper Notice Issued to Parties <i>Service Returned Not Served ---- 1/9/2017 : Robert Scott Wallace Hearing Scheduling Activity</i> <i>---- 1/9/2017 : Robert Scott Wallace</i>
01/10/2017	Automated ENotice Issued to Parties <i>Service Returned Not Served ---- 1/9/2017 : Ryan Thomas O'Connell Hearing Scheduling</i> <i>Activity ---- 1/9/2017 : Ryan Thomas O'Connell</i>
01/25/2017	Hearing Scheduling Activity <i>Pretrial Conference originally scheduled on 02/13/2017 at 9:00 AM was rescheduled to</i> <i>02/13/2017 at 9:00 AM. Reason: Conversion.</i>
01/26/2017	Automated Paper Notice Issued to Parties <i>Hearing Scheduling Activity ---- 1/25/2017 : Robert Scott Wallace</i>
01/26/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 1/25/2017 : Ryan Thomas O'Connell</i>
02/13/2017	<b>Pretrial Conference (9:00 AM)</b> (Judicial Officer: Huerta, Ronnie - MAG) <i>Commenced and concluded</i> <i>Parties Present: Attorney Wallace, Robert Scott</i> <i>Defendant HEMPHILL, WILLIE</i>
02/13/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 03/20/2017 at 9:00 AM.</i>
02/13/2017	 Administrative Event <i>VACATE ALL PRETRIAL RELEASE CONDITIONS</i>
02/13/2017	<b>Interim Condition for HEMPHILL, WILLIE</b> (Judicial Officer: Huerta, Ronnie - MAG Exp: 04/30/2018)  - Community Corrections - Drug/Alcohol Monitoring
02/14/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 2/13/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>





CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

03/20/2017	<b>Pretrial Conference (9:00 AM)</b> (Judicial Officer: Huerta, Ronnie - MAG) <i>Commenced and concluded</i> <i>Parties Present: Attorney Wallace, Robert Scott</i> <i>Defendant HEMPHILL, WILLIE</i>
03/20/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 04/17/2017 at 1:30 PM.</i>
03/20/2017	 Administrative Event <i>Minute sheet 03/20/2017</i>
03/21/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 3/20/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
04/17/2017	<b>Pretrial Conference (1:30 PM)</b> (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i> <i>Parties Present: Attorney Wallace, Robert Scott</i>
04/17/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 05/15/2017 at 9:00 AM.</i>
04/17/2017	 Administrative Event <i>Minute sheet 04/17/2017</i>
04/18/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 4/17/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
05/15/2017	<b>Pretrial Conference (9:00 AM)</b> (Judicial Officer: Huerta, Ronnie - MAG) <i>Commenced and concluded</i> <i>Parties Present: Attorney Wallace, Robert Scott</i>
05/15/2017	<b>Pretrial Conference (1:30 PM)</b> (Judicial Officer: Salinas, Jose D) <i>warrant u/a</i> <i>Commenced and concluded</i>
05/15/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 05/15/2017 at 1:30 PM.</i>
05/15/2017	 Administrative Event
05/15/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 06/19/2017 at 1:30 PM.</i>
05/15/2017	 Administrative Event
05/16/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 5/15/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i> <i>Hearing Scheduling Activity ---- 5/15/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
06/19/2017	<b>Pretrial Conference (1:30 PM)</b> (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i>
06/19/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 07/17/2017 at 1:30 PM.</i>
06/20/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 6/19/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>

CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

07/17/2017	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>atty's only</i> <i>Commenced and concluded</i> <i>Parties Present: Attorney      Wallace, Robert Scott</i> <i>Defendant      HEMPHILL, WILLIE</i>
07/18/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 08/21/2017 at 1:30 PM.</i>
07/19/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 7/18/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
08/21/2017	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i> <i>Parties Present: Attorney      Wallace, Robert Scott</i> <i>Defendant      HEMPHILL, WILLIE</i>
08/21/2017	 Hearing Scheduling Activity <i>Evidentiary Hearing scheduled for 09/18/2017 at 1:30 PM.</i>
08/22/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 8/21/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
09/06/2017	 Motion for Continuance Filed File Stamp: 09/06/2017 Filed By: State Plaintiff State of Indiana <i>Continuance Motion</i>
09/07/2017	 Order Granting Motion for Continuance (Judicial Officer: Christ, John Michael-C ) Order Signed: 09/07/2017
09/07/2017	Hearing Scheduling Activity <i>Evidentiary Hearing scheduled for 09/18/2017 at 1:30 PM was cancelled. Reason: Judicial Action.</i>
09/07/2017	Hearing Scheduling Activity <i>Evidentiary Hearing scheduled for 10/30/2017 at 1:30 PM.</i>
09/08/2017	Automated ENotice Issued to Parties <i>Order Granting Motion for Continuance ---- 9/7/2017 : Ryan Thomas O'Connell;Robert Scott Wallace Hearing Scheduling Activity ---- 9/7/2017 : Ryan Thomas O'Connell;Robert Scott Wallace Hearing Scheduling Activity ---- 9/7/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
09/18/2017	<b>CANCELED Evidentiary Hearing</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>Judicial Action</i>
09/22/2017	 Petition to Revoke Filed File Stamp: 09/22/2017 Filed By: State Plaintiff State of Indiana <i>Revoke Bond, Motion</i>
09/29/2017	Administrative Event <i>will address next date</i>
10/30/2017	<b>Evidentiary Hearing</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i> <i>Parties Present: Attorney      Wallace, Robert Scott</i> <i>Defendant      HEMPHILL, WILLIE</i>

CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**






10/30/2017	Hearing Scheduling Activity <i>Evidentiary Hearing scheduled for 12/11/2017 at 1:30 PM.</i>
10/30/2017	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 01/31/2018 at 1:30 PM.</i>
10/30/2017	Hearing Scheduling Activity <i>Jury Trial scheduled for 02/05/2018 at 8:30 AM.</i>
10/31/2017	 Administrative Event <i>MINUTE SHEET 10/30/2017</i>
11/01/2017	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 10/30/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i> <i>Hearing Scheduling Activity ---- 10/30/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i> <i>Hearing Scheduling Activity ---- 10/30/2017 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
12/11/2017	<b>Evidentiary Hearing (1:30 PM)</b> (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i>
12/11/2017	Order Denying Motion to Suppress (Judicial Officer: Salinas, Jose D ) Order Signed: 12/11/2017
01/03/2018	 Administrative Event <i>MINUTE SHEET 12/11/2017</i>
01/08/2018	<b>Pretrial Conference (1:30 PM)</b> (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i>
01/08/2018	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 02/05/2018 at 1:30 PM.</i>
01/09/2018	 Administrative Event <i>MINUTE SHEET 01/08/2018</i>
01/09/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 1/8/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
01/31/2018	<b>Final PreTrial Conference (1:30 PM)</b> (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i> <i>Parties Present: Defendant HEMPHELL, WILLIE</i>
01/31/2018	 Motion for Continuance Filed File Stamp: 01/31/2018 Filed By: State Plaintiff State of Indiana <i>Continuance Motion</i>
01/31/2018	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 02/26/2018 at 1:30 PM.</i>
01/31/2018	Hearing Scheduling Activity <i>Jury Trial scheduled for 02/05/2018 at 8:30 AM was cancelled. Reason: Judicial Action.</i>
02/01/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 1/31/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i> <i>Hearing Scheduling Activity ---- 1/31/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i>

CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**



02/01/2018	 Administrative Event <i>MINUTE SHEET 01/31/2018</i>
02/05/2018	<b>CANCELED Jury Trial</b> (8:30 AM) (Judicial Officer: Salinas, Jose D) <i>Judicial Action</i>
02/05/2018	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Christ, John -M) <i>Commenced and concluded</i>
02/05/2018	Failure to Appear (Judicial Officer: Christ, John -M )
02/06/2018	 Administrative Event <i>MINUTE SHEET 02/05/2018</i>
02/26/2018	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i>
02/26/2018	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 03/26/2018 at 1:30 PM.</i>
02/26/2018	Hearing Scheduling Activity <i>Final PreTrial Conference scheduled for 04/18/2018 at 1:30 PM.</i>
02/26/2018	Hearing Scheduling Activity <i>Jury Trial scheduled for 04/23/2018 at 8:30 AM.</i>
02/27/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 2/26/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i> <i>Hearing Scheduling Activity ---- 2/26/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i> <i>Hearing Scheduling Activity ---- 2/26/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
02/27/2018	 Administrative Event <i>MINUTE SHEET 02/26/2018</i>
03/26/2018	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Huerta, Ronnie - MAG) <i>Commenced and concluded</i>
03/26/2018	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 04/02/2018 at 1:30 PM.</i>
03/27/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 3/26/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i>
03/27/2018	 Administrative Event <i>MINUTE SHEET 03/26/2018</i>
04/02/2018	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i>
04/02/2018	Hearing Scheduling Activity <i>Final PreTrial Conference scheduled for 04/18/2018 at 1:30 PM was cancelled. Reason: Judicial Action.</i>
04/02/2018	Hearing Scheduling Activity <i>Jury Trial scheduled for 04/23/2018 at 8:30 AM was cancelled. Reason: Judicial Action.</i>
04/03/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 4/2/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i> <i>Hearing Scheduling Activity ---- 4/2/2018 : Ryan Thomas O'Connell;Robert Scott Wallace</i>










CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

04/03/2018	 Administrative Event <i>MINUTE SHEET 04/02/2018</i>
04/18/2018	<b>CANCELED Final PreTrial Conference</b> (1:30 PM) (Judicial Officer: Kinkade, Kelly Noel-PT) <i>Judicial Action</i>
04/23/2018	<b>CANCELED Jury Trial</b> (8:30 AM) (Judicial Officer: Salinas, Jose D) <i>Judicial Action</i>
04/30/2018	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i>
04/30/2018	Administrative Event File Stamp: 04/30/2018 <i>Court vacates all pre-trial release condtions</i>
04/30/2018	<b>Interim Condition for HEMPHILL, WILLIE</b> (Judicial Officer: Salinas, Jose D Exp: 06/04/2018)  - Community Corrections - Drug/Alcohol Monitoring <i>random drug testing only</i> - Probation
04/30/2018	 Administrative Event <i>MINUTE SHEET</i>
05/01/2018	 Appearance Filed File Stamp: 05/01/2018 For Party: Defendant HEMPHILL, WILLIE <i>appearance</i>
05/21/2018	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i>
05/21/2018	Administrative Event <i>MINUTE SHEET</i>
05/24/2018	<b>Pretrial Conference</b> (1:30 PM) (Judicial Officer: Christ, John -M) <i>Commenced and concluded</i>
05/24/2018	 Administrative Event <i>MINUTE SHEET</i>
05/24/2018	 Party To Be Held In Custody (Judicial Officer: Christ, John -M ) Order Signed: 05/24/2018 Party: Defendant HEMPHILL, WILLIE
05/24/2018	Court Sets Bond (Judicial Officer: Christ, John -M ) Party: Defendant HEMPHILL, WILLIE <i>\$500.00 cash bond</i>
05/24/2018	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 05/29/2018 at 9:00 AM.</i>
05/25/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 5/24/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace</i>


CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

05/29/2018	<b>Pretrial Conference (9:00 AM)</b> (Judicial Officer: Salinas, Jose D) <i>Commenced and concluded</i> <i>Parties Present: Attorney McGinley, James Michael Anthony</i>
05/29/2018	 Administrative Event <i>MINUTE SHEET</i>
05/29/2018	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 06/04/2018 at 9:00 AM.</i>
05/30/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 5/29/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace</i>
06/04/2018	<b>Pretrial Conference (9:00 AM)</b> (Judicial Officer: Huerta, Ronnie - MAG) <i>Commenced and concluded</i>
06/04/2018	 Request for Records File Stamp: 06/04/2018 Party: Defendant HEMPHILL, WILLIE <i>Request for transcript</i>
06/04/2018	Administrative Event File Stamp: 06/04/2018 <i>speedy deadline (8/13/2018)</i>
06/04/2018	<b>Interim Condition for HEMPHILL, WILLIE</b> (Judicial Officer: Huerta, Ronnie - MAG)  - Community Corrections - Drug/Alcohol Monitoring <i>random drug testing only</i> - Probation - Work Release
06/04/2018	Order to Release From Custody To Be Held For Other Agency (Judicial Officer: Huerta, Ronnie - MAG ) Order Signed: 06/04/2018 <i>Community Corrections-Work Release</i>
06/04/2018	Hearing Scheduling Activity <i>Final PreTrial Conference scheduled for 06/18/2018 at 9:00 AM.</i>
06/04/2018	Hearing Scheduling Activity <i>Final PreTrial Conference scheduled for 06/13/2018 at 1:30 PM.</i>
06/04/2018	Hearing Scheduling Activity <i>Jury Trial scheduled for 06/13/2018 at 1:30 PM.</i>
06/04/2018	Hearing Scheduling Activity <i>Jury Trial scheduled for 06/18/2018 at 8:30 AM.</i>
06/04/2018	Administrative Event <i>court reviewed request for records</i>
06/05/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 6/4/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace Hearing Scheduling Activity ---- 6/4/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace Hearing Scheduling Activity ---- 6/4/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace Hearing Scheduling Activity ---- 6/4/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace</i>

CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

06/05/2018	 Administrative Event <i>Minute Sheet</i>
06/08/2018	 Witness and/or Exhibit List Filed File Stamp: 06/08/2018 Filed By: Defendant HEMPHILL, WILLIE <i>Witness list</i>
06/12/2018	 Motion to Dismiss Filed File Stamp: 06/12/2018 Filed By: Defendant HEMPHILL, WILLIE <i>Motion to Dismiss</i>
06/13/2018	<b>Final PreTrial Conference (1:30 PM)</b> (Judicial Officer: Christ, John -M) <i>Commenced and concluded</i>
06/13/2018	 Administrative Event <i>MINUTE SHEET</i>
06/13/2018	Administrative Event File Stamp: 06/13/2018 <i>Court will address the defense motion at the final pre-trial set 6/13/2018</i>
06/13/2018	Hearing Scheduling Activity <i>Pretrial Conference scheduled for 06/25/2018 at 1:30 PM.</i>
06/14/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 6/13/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace</i>
06/14/2018	Hearing Scheduling Activity <i>Jury Trial scheduled for 06/18/2018 at 8:30 AM was cancelled. Reason: Judicial Action.</i>
06/15/2018	Automated ENotice Issued to Parties <i>Hearing Scheduling Activity ---- 6/14/2018 : James Michael Anthony McGinley;Ryan Thomas O'Connell;Robert Scott Wallace</i>
06/18/2018	<b>CANCELED Jury Trial (8:30 AM)</b> (Judicial Officer: Salinas, Jose D) <i>Judicial Action</i>
06/21/2018	 Motion Filed File Stamp: 06/20/2018 Filed By: State Plaintiff State of Indiana <i>Hemphill Motion to Dismiss.pdf</i>
06/22/2018	 Document Filed File Stamp: 06/22/2018 Filed By: State Plaintiff State of Indiana <i>Hemphill Motion to Dismiss Supplement.pdf</i>
06/25/2018	<b>Pretrial Conference (1:30 PM)</b> (Judicial Officer: Christ, John -M) <i>Commenced and concluded</i>
06/25/2018	 Administrative Event <i>MINUTE SHEET</i>

CHRONOLOGICAL CASE SUMMARY  
**CASE SUMMARY**  
**CASE NO. 49G14-1611-F6-043092**

06/25/2018	 Plea Agreement Filed Filed Stamp: 06/25/2018
06/25/2018	Motion to Enter Plea Pursuant to Plea Agreement Filed File Stamp: 06/25/2018 Filed By: State Plaintiff State of Indiana
06/25/2018	Order Granting Mot. to Enter Plea Pursuant to Plea Agreement (Judicial Officer: Salinas, Jose D ) Order Signed: 06/25/2018 <i>Order Granting Motion to Enter Plea of Guilty Pursuant to Plea Agreement.</i>
06/25/2018	Order Granting Motion to Dismiss (Judicial Officer: Salinas, Jose D ) Order Signed: 06/25/2018 Movant: State Plaintiff State of Indiana <i>I</i>
06/25/2018	<b>Judgment</b> (Judicial Officer: Salinas, Jose D) 1. 35-48-4-10(a)(1)/F6: Dealing in Marijuana Def. has a prior drug conviction and the weight is less t Dismissed 2. 35-48-4-11(a)(1)/MA: Possession of Marijuana Plea by Agreement
06/25/2018	<b>Sentenced</b> (Judicial Officer: Salinas, Jose D) 2. 35-48-4-11(a)(1)/MA: Possession of Marijuana 11/02/2016 (MA) 35-48-4-11(a)(1) (3548411a1MA)
	<hr/> <b>Comment ( )</b> Confinement to Commence 06/25/2018 County Jail Term: 124 Days Jail Credit: 62 Days Suspended: 0 Days Comment: Time Served; no probation
06/25/2018	Disposition Sent Electronically to Indiana State Police <i>Added By CHRIS Interface (SNTC)</i>

STATE OF INDIANA  
MARION COUNTY, ss:

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION

Cause No: 49

STATE OF INDIANA )  
 )  
 vs. )  
 )

INFORMATION

COUNT I

DEALING IN MARIJUANA

I.C. 35-48-4-10(a)(1) and I.C. 35-48-4-10(c)  
(1)(A)

A CLASS A MISDEMEANOR

COUNT II

POSSESSION OF MARIJUANA

I.C. 35-48-4-11(a)(1) and I.C. 35-48-4-11(b)

A CLASS B MISDEMEANOR

WILLIE HEMPHILL B/Male  
DOB 9/10/1971

On this date, the undersigned came before the Prosecuting Attorney of the Nineteenth Judicial Circuit and, being duly sworn (or having affirmed), stated that in Marion County, Indiana

COUNT I

On or about November 2, 2016, WILLIE HEMPHILL did knowingly or intentionally, manufacture, finance the manufacture of, deliver, or finance the delivery of marijuana, pure or adulterated, with the said marijuana weighing less than 30 grams;

COUNT II

On or about November 2, 2016, WILLIE HEMPHILL did knowingly possess a controlled substance, that is: Marijuana, pure or adulterated;

all of which is contrary to statute and against the peace and dignity of the State of Indiana.

I swear or affirm under penalty of perjury as specified by I.C. 35-44.1-2-1 that the foregoing representations are true.

/s/ Henry Flores

Affiant

November 3, 2016

Date

State's Witnesses:  
MARK GREGORY  
JOHN WALTERS

**TERRY R. CURRY**

Marion County Prosecutor  
19th Judicial Circuit

/s/ Henry Flores

Deputy Prosecuting Attorney

STATE OF INDIANA  
MARION COUNTY, ss:

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION

Cause No: 49

STATE OF INDIANA )  
 )  
 vs. )  
 )

INFORMATION  
PART II OF COUNT I  
DEALING IN MARIJUANA

WILLIE HEMPHILL B/Male  
DOB 9/10/1971

LEVEL 6 FELONY  
I.C. 35-48-4-10(c)(1)

The undersigned affiant does hereby swear or affirm under the penalties of perjury that:

On or about November 2, 2016, in Marion County, State of Indiana, the following named defendant WILLIE HEMPHILL, has previously been convicted of a drug offense in the Marion County Superior Court, Criminal Division Room G20 under cause number 49G20-1504-F4-014470 on or about 07/01/2015

All of which is contrary to the laws of the State of Indiana.

/s/ Henry Flores

\_\_\_\_\_  
Affiant

November 3, 2016  
Date

State's Witnesses:  
Marion County Clerk  
Keeper of Records, IMPD  
Keeper of Records, Indiana DOC  
Fingerprint Examiner, IMPD

**TERRY R. CURRY**  
Marion County Prosecutor  
19th Judicial Circuit

/s/ Henry Flores

\_\_\_\_\_  
Deputy Prosecuting Attorney

Deputy Prosecuting Attorney



STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION)

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION

CAUSE NO. 49

STATE OF INDIANA )  
 )  
 v. )  
 )  
WILLIE HEMPHILL )  
DOB: 9/10/1971 )

**ORDER FINDING PROBABLE CAUSE**

The State having filed a probable cause affidavit under this cause the Court now finds (check all that apply):

☒ probable cause to hold the defendant for the charges filed by the State of Indiana;

☐ probable cause to hold the Defendant until the State of Indiana files charges;

☐ probable cause for the charges filed by the State of Indiana and to issue a warrant for the arrest of the above named Defendant;

The Court having found probable cause, now orders bond set at ORCOA: Transport to MCCC/DAM.

Dated: \_\_\_\_\_

  
Judge

11/3/2016

Online RMS :: Narrative

**Arrest Summary:** 11/02/2016 2000 Hrs**Charges:** CONTROLLED SUBSTANCE- POSSESSION OF PARAPHERNALIA / MCONTROLLED SUBSTANCE- POSSESSION/CULTIVATION OF MARIJUANA/HASHISH/SALVIA /M**Agency:** IMPD Downtown District**Arrest #:** AR-IMPD1614596**Narrative:** IMPD Probable Cause with e-signature

STATE OF INDIANA, COUNTY OF MARION, SS:

PROBABLE CAUSE AFFIDAVIT

IMPD Case/Incident Number: DP16-132768 / I163072648

Defendant Name: Willie Hemphill

Location of Incident: 500 N. Meridian Street

Arresting Officer / ID: John M. Walters / W8300

Agency: Indianapolis Metropolitan Police Department

On Wednesday, November 2, 2016 at 7:38 PM, I, Officer John Walters and Sergeant Mark Gregory were on bicycle patrol in our full police uniforms and fully marked police bicycles riding southbound through the Indiana War Memorial Plaza park located at 500 N. Meridian Street. I and Sgt. Gregory observed a large group of people seated at a picnic table. I and Sgt. Gregory observed most of the individuals to have cans of beer in their hands or sitting next to them on the table. At all 4 corners of the park are located signs stating alcoholic beverages are prohibited inside the park. As I approached the group to discuss the open containers of beer in plain view my attention was drawn to a black male, later identified as Willie Hemphill. Mr. Hemphill saw me approaching in full police uniform and quickly shoved an unknown object from his balled right hand into his front right pants pocket. Mr. Hemphill's sudden movement and surprise caused Mr. Hemphill to knock his beer can over sitting next to him on the picnic table bench. This park is also known for narcotics use and sales. Mr. Hemphill's furtive movement was indicative of someone trying to conceal items from police view, and in my training and experience, pockets are often places to conceal weapons and contraband. I immediately approached Mr. Hemphill and directed Mr. Hemphill to stand up. I performed a patdown of Mr. Hemphill's outer clothing, in particular his front right pants pocket. I could plainly feel a baggie containing multiple similarly sized and packaged baggies with lumps of dry vegetation inside, known according to my training and experience, as suspected marijuana. I recovered the baggie from Mr. Hemphill's right front pants pocket and observed a clear plastic baggie containing 16 small clear plastic baggies of green leafy vegetation suspected to be marijuana. Each baggie was similarly sized and knotted at one end. I recovered the suspected marijuana, placed it in a heat-seal evidence bag, and secured it on my police bicycle inside the patrol bag. I placed Mr. Hemphill in handcuffs, at this time. I also found \$123 in cash on Mr. Hemphill's person. I found \$80 in cash (4-\$20) in Mr. Hemphill's wallet located in his right rear pants pocket and \$43 in cash (1-\$20, 2-\$5, 13-\$1) in Mr. Hemphill's front left pants pocket. The cash was in small denominations and the cash located in Mr. Hemphill's front left pants pocket was random and disorganized indicative of quick hand-to-hand narcotics transactions. The amount, packaging, and small denomination cash are indicative of a person engaged in narcotics sales. Mr. Hemphill has a prior conviction for Possession of Marijuana under cause #49G20-1504-F4-014470 with a conviction date of 07/01/2015. I placed Mr. Hemphill under arrest for Dealing in Marijuana-L6 and Possession of Marijuana-MA.

At the same time of my approach and observation of Mr. Hemphill, Sgt. Gregory approached the same group in his full police uniform on his fully marked police bicycle. Sgt. Gregory observed a black female, later identified as Rochelle Carter, bend over and reach towards her left leg and foot area concealing an unknown item on the ground. Sgt. Gregory stopped his bicycle in a manner to

11/3/2016

Online RMS :: Narrative

allow Sgt. Gregory to plainly see a beer can next to Ms. Carter's left foot. Sgt. Gregory routinely issues citations for Alcoholic Beverages in a Park under Indianapolis Ordinance 0-0-631-109 OI.

Sgt. Gregory asked Ms. Carter for her identification. Ms. Carter grabbed her purse from the picnic table in front of her. As Ms. Carter was opening her purse, Sgt. Gregory used his flashlight to illuminate the contents of Ms. Carter's purse. Sgt. Gregory observed in plain view a clear plastic baggie next to Ms. Carter's Indiana ID card containing a green leafy vegetation known, according to his training and experience, as suspected marijuana. At this time, Sgt. Gregory placed Ms. Carter in handcuffs. During a further search of Ms. Carter's purse Sgt. Gregory found a metal "grinder" used to take raw marijuana buds and grind it into loose small leaves. The grinder is used to facilitate breaking up the raw marijuana for easier use in pipes or to roll in marijuana cigarettes (joints) and/or marijuana cigars (blunts). The grinder would be used to facilitate the smoking or ingestion of the marijuana into a person's body. Sgt. Gregory recovered the suspected marijuana and marijuana grinder from Ms. Carter's purse and gave the items to me. I placed the suspected marijuana and marijuana grinder in another heat-seal evidence bag and secured it in the patrol bag of my police bicycle. Ms. Carter has a prior conviction for Possession of Marijuana under cause #49F19-1006-CM-046062 with a conviction date of 07/07/2010. I placed Ms. Carter under arrest for Possession of Marijuana-MA and Possession of Paraphernalia-MC.

When Sgt. Gregory recovered the suspected marijuana and marijuana grinder from Ms. Carter's purse Ms. Carter spontaneously uttered "Those aren't mine." At this time, a black male seated next to Ms. Carter, later identified as James Morgan, spontaneous stated without prompting from officers "Those are mine." Mr. Morgan was referring to the small baggie of suspected marijuana and marijuana grinder. Mr. Morgan implied the items were owned by Mr. Morgan and were in Mr. Morgan's possession prior to Mr. Morgan giving the items to Ms. Carter. Sgt. Gregory directed Mr. Morgan to stand up. Mr. Morgan complied and was placed in handcuffs and under arrest. During a search incident to arrest, Sgt. Gregory recovered a clear plastic baggie from Mr. Morgan's front right pants pocket containing 9 small similarly sized and knotted at one end baggies containing a green leafy vegetation known, according to his training and experience, as suspected marijuana.

The baggie also contained a cellophane sleeve from a pack of cigarettes containing loose suspected marijuana and 2 partially smoked marijuana cigarettes (joints). Sgt. Gregory recovered the baggie of suspected marijuana and handed it to me. I placed the baggie containing the suspected marijuana items in an additional heat-seal evidence bag and secured it in the patrol bag of my police bicycle. Sgt. Gregory found \$10 in cash (2-\$5) from Mr. Morgan's front right pants pockets, which contained the suspected marijuana, as well. Sgt. Gregory found an additional \$7 in cash (1-\$5, 2-\$1) in Mr. Morgan's wallet recovered from his right rear pants pocket. The quantity, packaging and small denominations in cash is also indicative of narcotics sales. I placed Mr. Morgan under arrest for Dealing in Marijuana-MA, Possession of Marijuana-MB, and Possession of Paraphernalia-MC.

Mr. Morgan had 2 backpacks, which he requested be released to his friend, Robert Campbell. Ms. Carter requested her purse be released to Mr. Campbell, as well. The backpacks and purse were released to Mr. Campbell and Mr. Campbell left the scene without further incident. Deputy Williams, Wagon 57, responded to the scene and transported Mr. Hemphill, Mr. Morgan, and Ms. Carter to the APC.

I transported the suspected marijuana and marijuana grinder to the IMPD property room to be logged as evidence. The suspected marijuana recovered from Mr. Hemphill weighed approximately 29.76 grams. The suspected marijuana recovered from Mr. Morgan weighed approximately 14.10 grams. The suspected marijuana recovered from Ms. Carter weighed approximately 1.04 grams. I sealed each of the 3 heat-seal evidence bags and secured them in the IMPD narcotics drop box.

All events occurred in Indianapolis, Marion County, State of Indiana.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

**/s/ John M. Walters**

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11/3/2016

Online RMS :: Narrative

Law Enforcement Officer

[https://webportal.inpcms.org/files/crossmatch-report.php?offender\\_id=&l...](https://webportal.inpcms.org/files/crossmatch-report.php?offender_id=&l...)

Thursday, November 03, 2016

## Indiana Criminal Crossmatch

**WARNING!!! THIS INFORMATION IS ONLY FOR OFFICIAL DUTIES OF THE PROSECUTOR'S OFFICE. THE INDIANA PROSECUTING ATTORNEYS COUNCIL AND BC FORWARD, DO NOT CERTIFY THE ACCURACY OF THIS INFORMATION. THE COMPLETENESS AND ACCURACY OF THIS INFORMATION IS DEPENDENT UPON THE INFORMATION ENTERED BY THE ORIGINATING PROSECUTOR'S OFFICE. VERIFICATION OF THE INFORMATION SHOULD BE SOUGHT FROM THE ORIGINATING COUNTY.**

### Possible Match in Grant County

<u>Juris</u>	<u>Offender</u>	<u>Name</u>	<u>Address</u>	<u>Social Security #</u>	<u>Date of Birth</u>
27	11661	<b>Willie J. Hemphill*</b>	27 North Gray Street Indianapolis, IN 46201	XXX-XX-XXXX	<b>09/10/1971*</b>

<u>Race</u>	<u>Sex</u>	<u>Hair</u>	<u>Eyes</u>	<u>Height</u>	<u>Weight</u>	<u>License State/#</u>	<u>State ID</u>	<u>FBI</u>
B	M	BLK	BRO	510	165	IN/0880-73-9019**	1390651**	835911PA0**

27D03-1510-CM-000237

Filed Date: 10/05/2015

OACN/Police Report #: 2015-31971

*Count: 1 - Operating a Vehicle While Intoxicated*  
*C - Misdemeanor*  
*9-30-5-2(a)*

Disposition: Guilty  
 Offense Date: 10/04/2015  
 Change of Plea and Sentencing:  
 07/22/2016

#### Sentencing History

Change of Plea and Sentencing: 07/22/2016

Jail: 6 Days  
 Jail Credit: 3 Days  
 Executed: 6 Days

*Count: 2 - Speeding*

*C - Infraction*

*9-21-5-2(a)*

*Penalty: 9-21-5-2(b)*

Disposition: Dismissed  
 Offense Date: 10/04/2015  
 Dismissed per NPA: 07/22/2016

*Count: 3 - Failure to Signal for Turn or Lane Change*

*C - Infraction*

*9-21-8-25*

*Penalty: 9-21-8-49*

Disposition: Dismissed  
 Offense Date: 10/04/2015  
 Dismissed per NPA: 07/22/2016

27D02-0909-FD-108

Filed Date: 09/02/2009

OACN/Police Report #: 2009-28215

*Count: 1 - Theft*

*D - Felony*

Disposition: Guilty  
 Offense Date: 08/28/2009

[https://webportal.inpcms.org/files/crossmatch-report.php?offender\\_id=&l...](https://webportal.inpcms.org/files/crossmatch-report.php?offender_id=&l...)

35-43-4-2(a)

Change of Plea: 10/14/2009

Sentenced: 10/14/2009

Sentencing History

Sentenced: 10/14/2009

Jail Credit: 48 Days

Prison: 18 Months

Work Release: 18 Months

Count: 2 - Possession of Marijuana

A - Misdemeanor

35-48-4-11(1)

Disposition: Dismissed

Offense Date: 08/28/2009

Dismissed: 10/14/2009

27D02-0811-CM-179

Filed Date: 08/21/2008

OACN/Police Report #: SCI 2708-0133

Count: 1 - Resisting Law Enforcement

A - Misdemeanor

35-44-3-3(a)(1)

Disposition: Guilty

Offense Date: 08/20/2008

Change of Plea: 12/15/2008

Sentenced: 12/15/2008

Sentencing History

Sentenced: 12/15/2008

Jail Credit: 210 Days

Prison: 210 Days

Count: 2 - Possession of Marijuana

A - Misdemeanor

35-48-4-11(2)

Disposition: Dismissed

Offense Date: 08/20/2008

Dismissed: 12/15/2008

27D02-0712-FD-193

Filed Date: 12/10/2007

OACN/Police Report #: 2007-42882

Count: 1 - Residential Entry

D - Felony

35-43-2-1.5

Disposition: Dismissed

Offense Date: 12/09/2007

Dismissed: 03/17/2008

Count: 2 - Battery Resulting in Bodily Injury

A - Misdemeanor

35-42-2-1(a)(1)(A)

Disposition: Guilty

Offense Date: 12/09/2007

Amended Information Filed:  
02/17/2008

[https://webportal.inpcms.org/files/crossmatch-report.php?offender\\_id=&l...](https://webportal.inpcms.org/files/crossmatch-report.php?offender_id=&l...)

Change of Plea: 03/17/2008

Sentenced: 03/17/2008

Sentencing History

Sentenced: 03/17/2008

Jail: 180 Days

Jail Credit: 9 Days

Count: 3 - Battery Resulting in Bodily Injury

A - Misdemeanor

35-42-2-1(a)(1)(A)

Disposition: Guilty

Offense Date: 12/09/2007

Amended Information Filed:  
03/17/2008

Sentenced: 03/17/2008

Change of Plea: 03/27/2008

Sentencing History

Change of Plea: 03/27/2008

Jail: 180 Days

Jail Credit: 9 Days

Count: 4 - Criminal Mischief

B - Misdemeanor

35-43-1-2(a)(1)

Disposition: Dismissed

Offense Date: 12/09/2007

Dismissed: 03/17/2008

27D02-0406-FB-69

Filed Date: 06/09/2004

OACN/Police Report #: 04-021876

Count: 1 - Criminal Confinement

B - Felony

35-42-3-3(a)(1)

Penalty: 35-42-3-3(b)(2)

Disposition: Dismissed

Offense Date: 06/05/2004

Dismissed: 08/29/2005

Count: 2 - Battery Resulting in Serious Bodily Injury

C - Felony

35-42-2-1(a)(3)

Disposition: Guilty

Offense Date: 06/05/2004

Change of Plea: 08/29/2005

Sentenced: 08/29/2005

Sentencing History

Sentenced: 08/29/2005

Jail: 6 Years

Jail Credit: 427 Days

Prison: 4 Years

[https://webportal.inpcms.org/files/crossmatch-report.php?offender\\_id=&l...](https://webportal.inpcms.org/files/crossmatch-report.php?offender_id=&l...)

<div> <div>Suspended: 2 Years</div> <div>Probation: 2 Years</div> </div>	
<p><i>Count: 3 - Intimidation</i></p> <p><i>C - Felony</i></p> <p><i>35-45-2-1(a)(2)</i></p> <p><i>Penalty: 35-45-2-1(b)(2)(A)</i></p>	<p>Disposition: Dismissed</p> <p>Offense Date: 06/05/2004</p> <p>Dismissed: 08/29/2005</p>
<p><i>Count: 4 - Intimidation</i></p> <p><i>C - Felony</i></p> <p><i>35-45-2-1(a)(2)</i></p> <p><i>Penalty: 35-45-2-1(b)(2)(A)</i></p>	<p>Disposition: Dismissed</p> <p>Offense Date: 06/05/2004</p> <p>Dismissed: 08/29/2005</p>
<p><i>Count: 5 - Interference with the Reporting of a Crime</i></p> <p><i>A - Misdemeanor</i></p> <p><i>35-45-2-5(1)</i></p>	<p>Disposition: Dismissed</p> <p>Offense Date: 06/05/2004</p> <p>Dismissed: 08/29/2005</p>

**Possible Match in Hamilton County**

Juris	Offender	Name				Address			Social Security #	Date of Birth
29	90548	Willie James Hemphill*				1533 Olney Street Indianapolis, IN 46218			XXX-XX-XXXX	09/10/1971*
		Race	Sex	Hair	Eyes	Height	Weight	License State/#	State ID	FBI
		B	M	BLK	BRO	510	185	IN/0880-73-9019**	01390651**	

29D06-1405-FD-004134	Filed Date: 05/27/2014
<p><i>Count: 1 - Possession of Marijuana</i></p> <p><i>D - Felony</i></p> <p><i>35-48-4-11(1)</i></p>	<p>Disposition: Dismissed</p> <p>Offense Date: 05/25/2014</p> <p>Dismissed: 01/09/2015</p>
<p><i>Count: 2 - Dealing in Marijuana</i></p> <p><i>D - Felony</i></p> <p><i>35-48-4-10(a)(1)</i></p> <p><i>Penalty: 35-48-4-10(b)(1)(B)</i></p>	<p>Disposition: Dismissed</p> <p>Offense Date: 05/25/2014</p> <p>Dismissed: 01/09/2015</p>



[https://webportal.inpcms.org/files/crossmatch-report.php?offender\\_id=&l...](https://webportal.inpcms.org/files/crossmatch-report.php?offender_id=&l...)

<p><i>Count: 3 - Carrying a Handgun Without a License</i>  <i>A - Misdemeanor</i>  <i>35-47-2-1</i>  <i>Penalty: 35-47-2-23(c)</i></p>	<p>Disposition: Dismissed  Offense Date: 05/25/2014  Dismissed: 01/09/2015</p>
<p><i>Count: 4 - Operating a Vehicle While Intoxicated Endangering a Person</i>  <i>A - Misdemeanor</i>  <i>9-30-5-2(a)</i>  <i>Penalty: 9-30-5-2(b)</i></p>	<p>Disposition: Dismissed  Offense Date: 05/25/2014  Dismissed: 01/09/2015</p>
<p><i>Count: 5 - Operating a Vehicle With an ACE of .08 or More</i>  <i>C - Misdemeanor</i>  <i>9-30-5-1(a)</i></p>	<p>Disposition: Dismissed  Offense Date: 05/25/2014  Dismissed: 01/09/2015</p>

### Possible Match in Marion County

Juris	Offender	Name				Address			Social Security #	Date of Birth
49	371680	WILLIE HEMPHILL*				1033 E Washington Indianapolis, IN 46201			XXX-XX-XXXX	09/10/1971*
		Race	Sex	Hair	Eyes	Height	Weight	License State/#	State ID	FBI
		B	M	BLK	BRO	510	190	IN/0880-73-9019**	1390651**	

49G21-1510-F4-038191	Filed Date: 10/27/2015
OACN/Police Report #: DP150123628	
<p><i>Count: 1 - Unlawful Possession of a Firearm by a Serious Violent Felon</i>  <i>4 - Felony</i>  <i>35-47-4-5(c)</i></p>	<p>Disposition: Dismissed  Offense Date: 10/24/2015  Dismissed: 03/08/2016</p>
<p><i>Count: 2 - Resisting Law Enforcement</i>  <i>6 - Felony</i>  <i>35-44.1-3-1(a)(3)</i>  <i>Penalty: 35-44.1-3-1(b)(1)(A)</i></p>	<p>Disposition: Guilty  Offense Date: 10/24/2015  Change of Plea: 03/08/2016</p>

[https://webportal.inpcms.org/files/crossmatch-report.php?offender\\_id=&l...](https://webportal.inpcms.org/files/crossmatch-report.php?offender_id=&l...)

Count: 3 - Resisting Law Enforcement  
A - Misdemeanor  
35-44.1-3-1(a)(1)

Disposition: Guilty  
Offense Date: 10/24/2015  
Change of Plea: 03/08/2016

Count: 4 - Carrying a Handgun Without a License  
5 - Felony  
35-47-2-1  
Penalty: 35-47-2-1(e)(1)

Disposition: Guilty  
Offense Date: 10/24/2015  
Initial Hearing - Plead Guilty and  
Sentencing: 03/08/2016

Sentencing History

Initial Hearing - Plead Guilty and Sentencing: 03/08/2016

Prison: 1 Years

49G20-1504-F4-014470

Filed Date: 04/27/2015

OACN/Police Report #: DP150042918

Count: 1 - Unlawful Possession of a Firearm by a Serious  
Violent Felon  
4 - Felony  
35-47-4-5(c)

Disposition: Dismissed  
Offense Date: 04/22/2015  
Dismissed: 07/01/2015

Count: 2 - Possession of Marijuana  
B - Misdemeanor  
35-48-4-11(a)(1)

Disposition: Guilty  
Offense Date: 04/22/2015  
Change of Plea: 07/01/2015

49F09-1307-FD-044328

Filed Date: 07/08/2013

OACN/Police Report #: IP13087453

Count: 1 - Intimidation  
D - Felony  
35-45-2-1(a)(1)  
Penalty: 35-45-2-1(b)(1)(A)

Disposition: Dismissed  
Offense Date: 09/11/2013

Count: 2 - Criminal Trespass  
A - Misdemeanor  
35-43-2-2(a)(1)

Disposition: Guilty  
Offense Date: 09/11/2013  
Change of Plea: 09/24/2013

Sentencing History

Change of Plea: 09/24/2013

[https://webportal.inpcms.org/files/crossmatch-report.php?offender\\_id=&l...](https://webportal.inpcms.org/files/crossmatch-report.php?offender_id=&l...)

Jail: 365 Days Jail Credit: 27 Days Suspended: 311 Days Executed: 54 Days
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End of Report

https://webportal.inpcms.org/files/crossmatch-report-marion.php?gallery...

Thursday, November 03, 2016

**Marion County Criminal Crossmatch**

WARNING!!! THIS INFORMATION IS ONLY FOR OFFICIAL DUTIES OF THE PROSECUTOR'S OFFICE. THE INDIANA PROSECUTING ATTORNEYS COUNCIL AND BCFORWARD, DO NOT CERTIFY THE ACCURACY OF THIS INFORMATION. THE COMPLETENESS AND ACCURACY OF THIS INFORMATION IS DEPENDENT UPON THE INFORMATION ENTERED BY THE ORIGINATING PROSECUTOR'S OFFICE. VERIFICATION OF THE INFORMATION SHOULD BE SOUGHT FROM THE ORIGINATING COUNTY.

**Gallery Number Match in Marion County**

Juris	Offender	Name	Address	Social Security #	Date of Birth
49	371680	WILLIE HEMPHILL	1033 E Washington Indianapolis, IN 46201	XXX-XX-XXXX	09/10/1971

Gallery Number	Race	Sex	Hair	Eyes	Height	Weight	License State/#	State ID	FBI
000000683723*	B	M	BLK	BRO	510	190	IN/0880-73-9019**	1390651**	

49G21-1510-F4-038191

Filed Date: 10/27/2015

Count: 1 - Unlawful Possession of a Firearm by a Serious  
Violent Felon

Disposition: Dismissed  
Offense Date: 10/24/2015

4 - Felony

35-47-4-5(c)

Count: 2 - Resisting Law Enforcement

Disposition: Guilty  
Offense Date: 10/24/2015  
Change of Plea: 03/08/2016

6 - Felony

35-44.1-3-1(a)(3)

Penalty: 35-44.1-3-1(b)(1)(A)

Count: 3 - Resisting Law Enforcement

Disposition: Guilty  
Offense Date: 10/24/2015  
Change of Plea: 03/08/2016

A - Misdemeanor

35-44.1-3-1(a)(1)

Count: 4 - Carrying a Handgun Without a License

Disposition: Guilty  
Offense Date: 10/24/2015  
Initial Hearing - Plead Guilty and  
Sentencing: 03/08/2016

5 - Felony

35-47-2-1

Penalty: 35-47-2-1(e)(1)

Sentencing History

Initial Hearing - Plead Guilty and Sentencing: 03/08/2016

Prison: 1 Years

49G20-1504-F4-014470

Filed Date: 04/27/2015

Count: 1 - Unlawful Possession of a Firearm by a Serious  
Violent Felon

Disposition: Dismissed  
Offense Date: 04/22/2015

<https://webportal.inpcms.org/files/crossmatch-report-marion.php?gallery...>

4 - Felony  
35-47-4-5(c)

Count: 2 - Possession of Marijuana  
B - Misdemeanor  
35-48-4-11(a)(1)

Disposition: Guilty  
Offense Date: 04/22/2015  
Change of Plea: 07/01/2015

49F09-1307-FD-044328

Filed Date: 07/08/2013

Count: 1 - Intimidation  
D - Felony  
35-45-2-1(a)(1)  
Penalty: 35-45-2-1(b)(1)(A)

Disposition: Dismissed  
Offense Date: 09/11/2013

Count: 2 - Criminal Trespass  
A - Misdemeanor  
35-43-2-2(a)(1)

Disposition: Guilty  
Offense Date: 09/11/2013  
Change of Plea: 09/24/2013

Sentencing History

Change of Plea: 09/24/2013

Jail: 365 Days  
Jail Credit: 27 Days  
Suspended: 311 Days  
Executed: 54 Days

End of Report

STATE OF INDIANA )  
COUNTY OF MARION )

MARION SUPERIOR COURT, CRIMINAL  
DIVISION G11

STATE OF INDIANA )  
V. )

CAUSE NO. 49G14-1611-F6-043092

Willie Hemphill )  
)

**INITIAL HEARING RIGHTS**

**YOUR RIGHTS AS A DEFENDANT:**

1. The Judge will inform you of the nature of the charge(s) against you and answer any questions you have about the following rights. You may have a copy of any charge(s) filed against you.
2. You have the right to retain counsel. If you intend to do so, you must do it within ten (10) days after this Initial Hearing if the charge(s) against you is a misdemeanor or within twenty (20) days after this Initial Hearing if the charge(s) is a felony, because there are deadlines for filing motions and raising defenses. If those deadlines are missed, the legal issues and defenses that could have been raised will be waived by you.
3. You have a right to have counsel at no expense to you if you are indigent. You must tell the Judge now if you cannot afford to hire an attorney.
4. You have the right to a speedy trial.
5. You have the right to a trial by jury. If you are charged with a misdemeanor and you wish to have a trial by jury, you must make a request for a jury trial at least ten (10) days prior to your trial setting. If you do not request a jury trial at least ten (10) days prior to your trial setting, you waive your right to a trial by jury. If you want a jury trial, you must make a timely request even if you do not have an attorney.
6. You have the privilege against self-incrimination.
7. You have a right to bail. Any conditions of bail will be explained to you.
8. A preliminary plea of NOT GUILTY is being entered for you. This preliminary plea will become a formal plea of NOT GUILTY ten (10) days after this initial hearing, if the charge(s) is a misdemeanor or twenty (20) days after this initial hearing, if the charge is a felony, unless you choose to enter a different plea.

I have read these rights and I understand them.

11 / 04 / 2016  
Date

**FILED**

Address:

*Willie Hemphill*  
Defendant's Signature  
1033 E Washington  
Indy 46202

176 NOV 03 2016

Telephone:

317-737-0191

*Myra A. Eldridge*  
CLERK OF THE MARION CIRCUIT COURT

**Courtroom Minutes – APC Hearing Minute Sheet**

State of Indiana v. WILLIE HEMPHILL Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing:

**RESULT**

☐ Commenced & Concluded ☐ Continued ☐ Vacated

**PARTIES PRESENT**

☐ State by Deputy Prosecutor \_\_\_\_\_

☐ Defendant in Person ☐ by counsel / ☐ \_\_\_\_\_

**RESOURCES**

Hearing Judge: ☐ Jose D Salinas / ☐ COM / ☒ MAG / ☐ TJ / ☐ PT / ☐ SR Boyer

Court Reporter: \_\_\_\_\_

**HEARINGS**

☐ Initial Hearing (HIH) ☒ Pretrial Conference (HPTC) ☐ Compliance (HCPL) ☐ Other (H) \_\_\_\_\_

☐ Probation (HVOP) ☐ Community Corrections (HV) ☐ Bench Trial (HBT) ☐ Civil (H) \_\_\_\_\_

Court: 14 Date: 11-7-16 Time: 1:00pm Interpreter: ☐ Yes Language Needed: \_\_\_\_\_

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions

**EVENTS/ORDERS**

- ☐ Defendant Not Available (ADM) ☐ File Not Available (ADM)
- ☐ Motion for Early Trial (MET) ☒ Omnibus Date (OMN) 12-18-16 ☐ Notice of Intent to Not Prosecute (NINP)
- ☐ Interpreter Used (QCSINT) ☐ State Reports No Charges Filed (ADMNOT) ☐ Case Dismissed (CD)
- ☐ Motion to Continue (MTC) ☐ 72 Hour Continuance Granted (OGMTC) ☐ 72 Hour Continuance Denied (ODMTC)
- ☒ Probable Cause Found (ARJPCF) ☐ No Probable Cause (ADM) ☒ Advisement of Rights Conducted (ARC)
- ☐ Defendant Not Indigent (ADM) ☐ Indigent Counsel Appointed (QCSIC) ☐ PD Fee Ordered in the amount of \_\_\_\_\_
- ☐ No Contact Order Granted (OGMNCO) ☐ No Contact Order Denied (ODMNCO) ☐ No Contact Order Issued (ARJNCO) see registry
- ☐ Stay Away Order Granted (OG) ☐ Stay Away Order Denied (OD) ☐ Stay Away Order Issued (ORD) \_\_\_\_\_
- ☐ OVWI: Failed with Immediate Suspension (BMVPCFSUSP) ☐ OVWI: Refused with Immediate Suspension (BMVPCRSUSP)
- ☐ Court Sets Bond (ARJBOND) ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_
- ☐ Order to Release from Custody (ORC) ☐ Defendant WILLIE HEMPHILL / ☐ \_\_\_\_\_ as to this case only.
- ☐ Defendant to be Held in Custody (DHC) As to this case. No Bond.
- ☒ Order to Release from Custody to be Held for Other Agency (ORCOA). Direct to MCCC
- ☐ Upon Satisfaction of Bond, Defendant Held for Other Agency (SBDOA) \_\_\_\_\_
- ☐ Defendant to be Held in Custody (DHC) ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

**ADDITIONAL ORDERS (ORD)** \_\_\_\_\_

**ADDITIONAL MINUTES (HJE)** \_\_\_\_\_

JUDICIAL OFFICER



## Courtroom Minutes – Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 11/07/2016 1:00 PM

### RESOURCES

Hearing Judge: ☒ Jose D Salinas ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: HR

### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Schen

☒ Defendant in Person ☐ by counsel / ☐

### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

### HEARINGS

Future Hearing Type: HSC Date: 12-5-16 Time: pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ Hearing(s) Vacated

### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDT] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. As to this Case. ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.



- ☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied
- ☐ [MTD] S / D Motion To Dismiss. Count(s) \_\_\_\_\_ ☐ [OGMTD] Granted ☐ [ODMTD] Denied
- ☐ [MLA] S / D Motion for Leave to Amend. Charge(s). ☐ [OGMLA] Granted ☐ [ODMLA] Denied
- ☐ [MT] S / D Motion to Terminate. \_\_\_\_\_. ☐ [OGMT] Granted. ☐ [ODMT] Denied.
- ☐ [MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐ [OGMARB] Granted. ☐ [ODMARB] Denied.
- ☐ [MCRH] S / D Motion for Compliance/ Hearing Review Filed. ☐ [OGMCRH] Granted. ☐ [ODMCRH] Denied.
- ☐ [JAD] Taken Under Advisement. \_\_\_\_\_.
- ☐ [ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐ [SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐ [ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐ [ARJTRNO] Transport Order Entered. \_\_\_\_\_.
- ☐ [ADMCON] Contempt. \_\_\_\_\_.
- ☐ [ADM] Defendant Removed from Interim Pre-trial Release Conditions.
- ☐ [BMVSUSP] Court Requests Suspension of Driver. ☐ [BMVSUSPOWI] Court Requests Suspension of Driver for OWI.
- ☐ Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐ [BMVPCFSUSP] Failed with Immediate Suspension. ☐ [BMVPCRSUSP] Refused with Immediate Suspension.
- ☐ [BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐ [BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
- ☐ [BMVPCFINT] Failed with Court Ordered Ignition Interlock. ☐ [BMVPCrint] Refused with Court Ordered Ignition Interlock.
- ☐ [BMVSR16DEF] Delete a Probable Cause Failure. ☐ [BMVSR16DER] Delete a Probable Cause Refusal.
- ☐ [BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐ [BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

- |         |  |  |                                    |                                |
|---------|--|--|------------------------------------|--------------------------------|
| Count 1 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |
| Count 2 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |

#### SENTENCE

☐ [INCON] CONFINEMENT-----

Sentence Type: ☐ Sentenced ☐ Remanded ☐ Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_.

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 1 | <input type="checkbox"/> Term _____ Years _____ Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____ Years _____ Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                             | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                            |  | _____                                |

Comment: \_\_\_\_\_

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 2 | <input type="checkbox"/> Term _____ Years _____ Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____ Years _____ Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                             | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                            |  | _____                                |

Comment: \_\_\_\_\_

☐ [FEE] FEES -----

☐ Add Standard Fees ☐ Add Custom Fees

☐ [ACOND] CONDITIONS -----

☐ [ACRF] Abstract: Credit Restricted Felon. ☐ [ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.

☐ [AMHC] Abstract: Mental Health Concerns. ☐ [API] Abstract: Purposeful Incarceration.

☐ [AMAX] Abstract: Recommended Degree of Security – Maximum. ☐ [AMED] Abstract: Recommended Degree of Security – Medium.

**MARION COUNTY PUBLIC DEFENDER AGENCY**

151 North Delaware, Suite 200  
Indianapolis, IN 46204-3320  
Phone (317) 327-4100 Fax (317) 327-3754  
TDD FOR HEARING IMPAIRED (317) 327-5186

**CRIMINAL DEFENSE APPEARANCE FORM**

**Cause Number:** 49G14-1611-F6-043092

**Name of Defendant:** WILLIE HEMPHILL

**1. Defense Attorney Information (as applicable for service):**

Ryan O'connell  
Atty No: 31446-49  
151 N. Delaware St., Suite 200  
Indianapolis, IN 46204 USA  
Fax: (317) 327-3754  
Email: ryan.o'connell@indy.gov  
Business Phone: (317) 327-4100

**2. Defendant WILL NOT accept service by FAX**

Note: If separate attorneys represent separate defendants or separate sets of defendants, use an appearance form for each separately represented defendant or set of defendants.

*Authority: Pursuant to Criminal Rule 2.1(B), this form shall be filed at the time of a criminal proceeding is commenced. In emergencies, the requested information shall be supplied when it becomes available. Parties shall advise the court of a change in information previously provided to the court. This format is approved by the Division of State Court Administration.*



Indianapolis-Marion County Forensic Services Agency  
40 S. Alabama Street  
Indianapolis, IN 46204  
(317)327-3670 FAX (317)327-3607

Filed: 12/8/2016 3:25:15 PM  
Myla A. Eldridge  
Clerk  
Marion County, Indiana

## Laboratory Examination Report

LAB16-07523

Page 1 of 2

DATE: 11/04/2016

Agency Case #: DP16132768

TO: Indianapolis Metropolitan Police Department

FROM: Dustin Crawford, Forensic Scientist

EXAMINATION REQUESTED: Drug Chemistry

### MATERIAL SUBMITTED:

#### Item 001

One heat sealed plastic bag marked (DP16-132768), containing:

##### Item 001.001

one knotted plastic bag containing vegetation

##### Item 001.002

fourteen knotted plastic bag corners and one twisted plastic bag, each containing vegetation

#### Item 002

One heat sealed plastic bag marked (DP16-132768), containing:

##### Item 002.001

one knotted plastic bag corner containing vegetation

#### Item 003

One heat sealed plastic bag marked (DP16-132768), containing:

##### Item 003.001

one plastic bag containing nine knotted plastic bag corners containing vegetation

##### Item 003.002

one cellophane wrapper containing vegetation

### RESULTS AND CONCLUSIONS:

#### Item 001.001

Marijuana: 7.05 gram(s)

#### Item 001.002

The fourteen knotted plastic bag corners and one twisted plastic bag had a total gross weight of 21.02 grams. The vegetation from one knotted plastic bag corner, weighing 1.03 grams, was tested and found to contain Marijuana.

#### Item 002.001

Marijuana: 0.86 gram(s)

#### Item 003.001

The nine knotted plastic bag corners had a total gross weight of 9.21 grams. The vegetation from one knotted plastic bag corner, weighing 0.75 gram, was tested and found to contain Marijuana.

#### Item 003.002

Marijuana: 2.60 gram(s)

**Signature:**

*Dustin Crawford*

**C5543**

**Dustin Crawford  
Forensic Scientist**

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE MARION SUPERIOR CRIMINAL  
COURT 14

STATE OF INDIANA )  
 )  
 v. )  
 )  
WILLIE HEMPHILL )

CAUSE NO. 49G14-1611-F6-043092

STATE'S NOTICE OF DISCOVERY COMPLIANCE

The State of Indiana hereby notifies the Court that it has learned of items other than those provided in the State's initial discovery materials that are subject to discovery and has provided defense counsel with the following item(s):

- Certified Prior Convictions and OARs (Cause #: )
- Certified Driving Record / Certified Vehicle Registration
- HTV Packet
- Certified CAD Report / Certified 911 Call (can be copied if given blank CD-R)
- **Lab Analysis Results** / Add MCCL chemist as witness: C5543 \_\_\_\_\_
- BAC Datamaster/IntoxEC/IR II Test Results, \_\_\_\_\_ page(s)
- Certified Search Warrant, \_\_\_\_\_ page(s)
- Criminal History: NCIC/Juvenile/Crossmatch of \_\_\_\_\_, \_\_\_\_\_ page(s)
- Photo Array, \_\_\_\_\_ page(s)
- Restitution Information, \_\_\_\_\_ page(s)
- Check Point Packet \_\_\_\_\_, page(s)
- Advisement and Waiver of Rights form
- Photographs are available to the Marion County Public Defender's Agency through the IMPD photo application Digital Traq and have been released to the viewing room for fourteen (14) days and 10 views. Photographs are available to private counsel by any of the following means: (1) to eliminate expense and in keeping with this office's open file policy, the photographs may be viewed by contacting the assigned Deputy Prosecutor; or (2) by supplying CD-Rs/DVDs to the assigned Deputy Prosecutor to be burned.
- Video: [ ] Emailed to defense counsel [ ] Can be burned if given blank CD-R
- Store Shoplifting Documents, \_\_\_\_\_ pages
- Statement of \_\_\_\_\_
- Witness(es): \_\_\_\_\_
- Other: \_\_\_\_\_



---

DAKOTA SCHEU, 32467-53  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a complete and accurate copy of the foregoing was served upon Defendant's counsel via the Public Defender Agency's mailbox; by U.S. Mail, postage prepaid and properly addressed to the attorney of record; or by electronic service pursuant to Indiana Rules of Trial Procedure Rule 86, this date of filing.



---

DAKOTA SCHEU,  
32467-53  
Deputy Prosecuting Attorney

Marion County Prosecutor's Office  
251 E. Ohio St., Ste. 160  
Indianapolis, IN 46204  
(317) 327-8537

Marion Superior Court, Criminal Division 14  
200 E. Washington St. T-441  
Indianapolis Indiana 46204

FIRST-CLASS MAIL  
PRESORTED  
U.S. POSTAGE PAID  
SOUTH BEND, IN  
PERMIT NO. 498

RETURN TO SENDER

State of Indiana v. WILLIE  
HEMPHILL

**49G14-1611-F6-043092**

See other side of card for events  
related to this case.

DEC 1 2 2016

WILLIE HEMPHILL  
1033 E WASHINGTON ST  
INDIANAPOLIS, IN 46202-3952

NIXIE 462 FE 1255 0001/01/17

RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

ANK

BC: 46204330799 \*0712-08595-07-44



IP1 46202

# Events for Case Number 49G14-1611-F6-043092

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File Stamped/

Entry Date    Order Signed    Event and Comments

2016-12-05

Hearing Scheduling Activity

Pretrial Conference scheduled for 01/09/2017 at 1:00 PM.



STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE MARION SUPERIOR CRIMINAL  
COURT 14

STATE OF INDIANA )  
 )  
 v. )  
 )  
WILLIE HEMPHILL )

CAUSE NO. 49G14-1611-F6-043092

STATE'S NOTICE OF DISCOVERY COMPLIANCE

The State of Indiana hereby notifies the Court that it has complied with the rules of discovery in this cause as follows:

- A. All items of physical evidence referred to in the materials listed below may be used as exhibits at trial and can be viewed by contacting the deputy prosecutor below, and any persons named in said materials may be called as witnesses at trial.
- B. The Marion County Prosecutor's Office has an "open file" policy. The defense attorney of record may review the prosecutor's file by appointment during the pendency of this case. This review will include all appropriate discovery, excluding work product.
- C. Copies of the following have been forwarded to defense counsel, or made available for review:
  - Charging Information of Rochelle Carter, 1 page(s);
  - Charging Information of Willie Hemphill, 2 page(s);
  - Charging Information of James Morgan, 2 page(s);
  - Probable Cause Affidavit, 3 page(s);
  - Police/Incident Report, DP160132768, 14 page(s);
  - Adult Criminal History of Rochelle Carter, 2 page(s);
  - Adult Criminal History of Willie Hemphill, 2 page(s);
  - Adult Criminal History of James Morgan, 7 page(s);
  - Lab Report, 2 page(s);
  - Division of Public Safety Report Communications Call Report, #63072648, 1 page(s);

/S/Dakota Scheu by PW

---

DAKOTA SCHEU 32467-53  
Deputy Prosecuting Attorney

CERTIFICATE OF SERVICE

This is to certify that a copy of the State's Notice of Discovery has been served upon the attorney for the defendant ( Ryan O'Connell-PD ) by:

\_\_\_\_\_ way of personal service

\_\_\_\_\_ by placing said Motion in the Public Defender's mailbox

  x   by electronic service pursuant to Indiana Rules of Trial Procedure Rule 86

\_\_\_\_\_ or by sending postage prepaid United States First Class mail on the same date of filing.

/S/Dakota Scheu by PW

---

DAKOTA SCHEU 32467-53

Deputy Prosecuting Attorney

Marion County Prosecutor's Office  
251 E. Ohio St., Ste. 160  
Indianapolis, IN 46204  
(317) 327-8537

**MARION COUNTY PUBLIC DEFENDER AGENCY**

151 North Delaware, Suite 200

Indianapolis, IN 46204-3320

Phone (317) 327-4100 Fax (317) 327-3754

TDD FOR HEARING IMPAIRED (317) 327-5186

**CONFLICT DEFENSE APPEARANCE FORM (CRIMINAL)**

**Cause Number:** 49G14-1611-F6-043092

**Name of Defendant:** WILLIE HEMPHILL

**1. Defense Attorney Information (as applicable for service):**

Scott Wallace

Atty No: 25147-49

151 N Delaware ST STE 200

Indianapolis, IN 46204

Fax:

Email: scott@scottwallacelaw.com

Business Phone: 317-600-7079

Alternate Phone: 317-327-4509

**2. Defendant WILL NOT accept service by FAX**

Note: If separate attorneys represent separate defendants or separate sets of defendants, use an appearance form for each separately represented defendant or set of defendants.

*Authority: Pursuant to Criminal Rule 2.1(B), this form shall be filed at the time of a criminal proceeding is commenced. In emergencies, the requested information shall be supplied when it becomes available. Parties shall advise the court of a change in information previously provided to the court. This format is approved by the Division of State Court Administration.*

CO A Center

### Courtroom Minutes - Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Status of Counsel Hearing 12/05/2016 1:00 PM

#### RESOURCES

Hearing Judge: ☐ Jose D Salinas / ☒ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR JK

Court Reporter: HR

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated  
☒ State by Deputy Prosecutor / ☐ Scheu  
☐ Defendant in Person ☐ by counsel / ☐

pm

#### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐  
☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.  
☐ Bench Warrant Recalled

#### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond  
☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond  
☐ [OSR] Order to release surety  
☐ [OCOS] Surety is continued  
☐ [OLS] Late Surrender Fees Owed  
☐ [OFBO] Order to Forfeit Bond

#### HEARINGS

Future Hearing Type: HPTC Date: 1-9-17 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.  
☐ [NINP] Notice of Intent to Not Prosecute  
☐ [ARC] Advisement of Rights Conducted ☒ [QCSIC] Indigent Counsel Appointed at County Expense  
☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested  
☐ [QCSDT] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court  
☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry  
☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.  
☐ [RDHC] Request For Defendant to be Held in Custody  
☐ [DHC] Defendant to be Held in Custody. As to this Case. ☐ No Bond. ☐ Hold Until \_\_\_\_\_.  
☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold  
☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.  
☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.  
☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.  
☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied

\* [ADM] 100.00 PD Fee accepted

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 01/09/2017 1:00 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: HR

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Scheel

☒ Defendant in Person ☒ by counsel Robert Scott Wallace / ☐ \_\_\_\_\_

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HPTC Date: 2-13-17 Time: 9am

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDT] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.



### Courtroom Minutes – Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 02/13/2017 9:00 AM

#### RESOURCES

Hearing Judge: ☐ Jose D Salinas / ☒ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR RH

Court Reporter: K4

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☒ Scheel

☒ Defendant in Person ☒ by counsel Robert Scott Wallace / ☐ \_\_\_\_\_

#### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

#### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

#### HEARINGS

Future Hearing Type: HPTC Date: 3-20-17 Time: 9am ✓

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

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☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. As to this Case. ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION, ROOM NO. 14

CAUSE NO. 49G14-1611-F6-043092

STATE OF INDIANA )

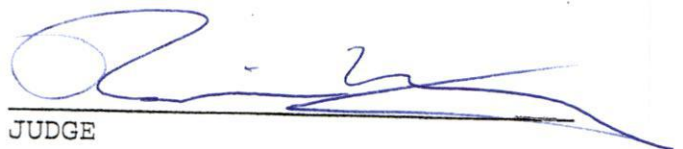
VS. )

Willie Hemphill )

ORDER VACATING PRE-TRIAL RELEASE CONDITIONS

Comes now the Court, and now ORDERS that the Defendant,  
Willie Hemphill, be removed from all Pre-  
Trial Release conditions.

ALL SO ORDERED THIS 13 day of February, 2017.



JUDGE  
Marion Superior Court  
Criminal Division, Room No. 14

Copies to: Pre-Trial Release

### Courtroom Minutes – Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Pretrial Conference 03/20/2017 9:00 AM

#### RESOURCES

Hearing Judge: ☐ Jose D Salinas / ☒ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR Huerta

Court Reporter: HR

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☒ Scheu

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐

#### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

#### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

#### HEARINGS

Future Hearing Type: HPTC Date: 4-17-17 Time: 1pm ✓

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 3/20/2017 Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDT] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

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☐ [DHC] Defendant to be Held in Custody. As to this Case. ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

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☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.



- ☐[MET] S / D Motion for Early Trial Filed ☐[OGMET] Granted ☐[ODMET] Denied
- ☐[MTD] S / D Motion To Dismiss. Count(s) \_\_\_\_\_. ☐[OGMTD] Granted ☐[ODMTD] Denied
- ☐[MLA] S / D Motion for Leave to Amend. Charge(s). ☐[OGMLA] Granted ☐[ODMLA] Denied
- ☐[MT] S / D Motion to Terminate. \_\_\_\_\_. ☐[OGMT] Granted. ☐[ODMT] Denied.
- ☐[MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐[OGMARB] Granted. ☐[ODMARB] Denied.
- ☐[MCRH] S / D Motion for Compliance/ Hearing Review Filed. ☐[OGMCRH] Granted. ☐[ODMCRH] Denied.
- ☐[JAD] Taken Under Advisement. \_\_\_\_\_.
- ☐[ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐[SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐[ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐[ARJTRNO] Transport Order Entered. \_\_\_\_\_.
- ☐[ADMCON] Contempt. \_\_\_\_\_.
- ☐[ADM] Defendant Removed from Interim Pre-trial Release Conditions.
- ☐[BMVSUSP] Court Requests Suspension of Driver. ☐[BMVSUSPOWI] Court Requests Suspension of Driver for OWI.
- ☐ Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐[BMVPCFSUSP] Failed with Immediate Suspension. ☐[BMVPCRSUSP] Refused with Immediate Suspension.
- ☐[BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐[BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
- ☐[BMVPCFINT] Failed with Court Ordered Ignition Interlock. ☐[BMVPCRINT] Refused with Court Ordered Ignition Interlock.
- ☐[BMVSR16DEF] Delete a Probable Cause Failure. ☐[BMVSR16DER] Delete a Probable Cause Refusal.
- ☐[BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐[BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

Count 1	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____
Count 2	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____

#### SENTENCE

☐[INCON] CONFINEMENT-----

Sentence Type: ☐Sentenced ☐Remanded ☐Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_.

Count 1	<input type="checkbox"/> Term _____Years _____Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____Years _____Days		<input type="checkbox"/> DOC
	<input type="checkbox"/> Life		<input type="checkbox"/> Community Corrections
	<input type="checkbox"/> Death		<input type="checkbox"/> Consecutive with Count/Case: _____

Comment: \_\_\_\_\_

Count 2	<input type="checkbox"/> Term _____Years _____Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____Years _____Days		<input type="checkbox"/> DOC
	<input type="checkbox"/> Life		<input type="checkbox"/> Community Corrections
	<input type="checkbox"/> Death		<input type="checkbox"/> Consecutive with Count/Case: _____

Comment: \_\_\_\_\_

☐[FEE] FEES -----

☐Add Standard Fees ☐Add Custom Fees

☐[ACOND] CONDITIONS -----

☐[ACRF] Abstract: Credit Restricted Felon. ☐[ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.

☐[AMHC] Abstract: Mental Health Concerns. ☐[API] Abstract: Purposeful Incarceration.

☐[AMAX] Abstract: Recommended Degree of Security – Maximum. ☐[AMED] Abstract: Recommended Degree of Security – Medium.

### Courtroom Minutes – Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Pretrial Conference 04/17/2017 1:30 PM

#### RESOURCES

Hearing Judge: ☐ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: HR

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / Scheu

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐ \_\_\_\_\_

#### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

#### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [PCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

#### HEARINGS

Future Hearing Type: HPTC Date: 5.15.17 Time: 8:30AM

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☒ 4/17/2017 Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDT] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

- ☐[AMIM] Abstract: Recommended Degree of Security – Minimum.
- ☐[ANR] Abstract: Recommended Degree of Security – No Recommendation.
- ☐[ANA] Abstract: Recommended Degree of Security – Not Applicable.
- ☐[AADP] Alcohol Abuse Deterrent Program. ☐[CC] Community Corrections. ☐[CIP] Community Impact Panel.
- ☐[CS] Community Service. ☐[DIP] Complete Driver Improvement Panel. ☐[COUN] Counseling. ☐[COC] Court Ordered Classes.
- ☐[DR] Day Reporting. ☐[DNA] DNA Sample. ☐[DLS] Driver's License Suspension. ☐[DAM] Drug/Alcohol Monitoring.
- ☐[EM] Electronic Monitoring. ☐[HIV] HIV Testing. ☐[HD] Home Detention. ☐[LA] Letter of Apology.
- ☐[MSE] Maintain Steady Employment. ☐[NC] No Contact. ☐[FIRE] No Firearms. ☐[NA] No New Arrests.
- ☐[ADD] Notify Change of Address. ☐[OB] Obtain a High School Diploma or GED. ☐[OVDL] Obtain a Valid Driver's License.
- ☐[VISITPO] Permit Visits from Probation Officer. ☐[PROB] Probation.
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- ☐[UP] Unsupervised Probation. ☐[URI] Urinalysis. ☐[VIP] Victim Impact Panel. ☐[WR] Work Release.

☐[INAWD] MONETARY AWARD -----

Awarded to \_\_\_\_\_ Awarded Against \_\_\_\_\_ Judgment \_\_\_\_\_

Interest Begins: ☐ \_\_\_\_\_ ☐ Include Court Costs

☐[CMT] SENTENCING COMMENTS -----

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\_\_\_\_\_  
JUDICIAL OFFICER

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 05/15/2017 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: HR

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Schue

☒ Defendant in Person ☐ by Counsel Robert Scott Wallace / ☐ \_\_\_\_\_

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HPTC Date: 6-19-17 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 5/15/2017 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

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☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

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☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPPIR] PSI Report Filed.

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☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied

- ☐ [MTD] S / D Motion To Dismiss. Count(s) \_\_\_\_\_ ☐ [OGMTD] Granted ☐ [ODMTD] Denied
- ☐ [MLA] S / D Motion for Leave to Amend. Charge(s). ☐ [OGMLA] Granted ☐ [ODMLA] Denied
- ☐ [MT] S / D Motion to Terminate. \_\_\_\_\_ ☐ [OGMT] Granted. ☐ [ODMT] Denied.
- ☐ [MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐ [OGMARB] Granted. ☐ [ODMARB] Denied.
- ☐ [MCRH] S / D Motion for Compliance/ Hearing Review Filed. ☐ [OGMCRH] Granted. ☐ [ODMCRH] Denied.
- ☐ [JAD] Taken Under Advisement. \_\_\_\_\_.
- ☐ [ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐ [SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐ [ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐ [ARJTRNO] Transport Order Entered. \_\_\_\_\_.
- ☐ [ADMCON] Contempt. \_\_\_\_\_.
- ☐ [ADM] Defendant Removed from Interim Pre-trial Release Conditions.
- ☐ [BMVSUSP] Court Requests Suspension of Driver. ☐ [BMVSUSPOWI] Court Requests Suspension of Driver for OWI.
- ☐ Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐ [BMVPCFSUSP] Failed with Immediate Suspension. ☐ [BMVPCRSUSP] Refused with Immediate Suspension.
- ☐ [BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐ [BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
- ☐ [BMVPCFINT] Failed with Court Ordered Ignition Interlock. ☐ [BMVPCRINT] Refused with Court Ordered Ignition Interlock.
- ☐ [BMVSR16DEF] Delete a Probable Cause Failure. ☐ [BMVSR16DER] Delete a Probable Cause Refusal.
- ☐ [BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐ [BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

Count 1	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____
Count 2	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____

#### SENTENCE

☐ [INCON] CONFINEMENT \_\_\_\_\_

Sentence Type: ☐ Sentenced ☐ Remanded ☐ Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_.

Count 1	<input type="checkbox"/> Term _____ Years _____ Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____ Years _____ Days	<input type="checkbox"/> DOC	<input type="checkbox"/> Consecutive
	<input type="checkbox"/> Life	<input type="checkbox"/> Community Corrections	with Count/Case: _____
	<input type="checkbox"/> Death		

Comment: \_\_\_\_\_

Count 2	<input type="checkbox"/> Term _____ Years _____ Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____ Years _____ Days	<input type="checkbox"/> DOC	<input type="checkbox"/> Consecutive
	<input type="checkbox"/> Life	<input type="checkbox"/> Community Corrections	with Count/Case: _____
	<input type="checkbox"/> Death		

Comment: \_\_\_\_\_

☐ [FEE] FEES \_\_\_\_\_

☐ Add Standard Fees ☐ Add Custom Fees

☐ [ACOND] CONDITIONS \_\_\_\_\_

☐ [ACRF] Abstract: Credit Restricted Felon. ☐ [ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.

☐ [AMHC] Abstract: Mental Health Concerns. ☐ [API] Abstract: Purposeful Incarceration.

☐ [AMAX] Abstract: Recommended Degree of Security – Maximum. ☐ [AMED] Abstract: Recommended Degree of Security – Medium.

☐ [AMIM] Abstract: Recommended Degree of Security – Minimum.

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- ☐[EM] Electronic Monitoring. ☐[HIV] HIV Testing. ☐[HD] Home Detention. ☐[LA] Letter of Apology.
- ☐[MSE] Maintain Steady Employment. ☐[NC] No Contact. ☐[FIRE] No Firearms. ☐[NA] No New Arrests.
- ☐[ADD] Notify Change of Address. ☐[OB] Obtain a High School Diploma or GED. ☐[OVDL] Obtain a Valid Driver's License.
- ☐[VISITPO] Permit Visits from Probation Officer. ☐[PROB] Probation.
- ☐[PBC] Probation Consecutive to Sentence out of Another County. ☐[PE] Psychological/Mental Health Evaluation/Treatment.
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- ☐[UP] Unsupervised Probation. ☐[URI] Urinalysis. ☐[VIP] Victim Impact Panel. ☐[WR] Work Release.

☐[INAWD] MONETARY AWARD -----

Awarded to \_\_\_\_\_ Awarded Against \_\_\_\_\_ Judgment \_\_\_\_\_

Interest Begins: ☐ \_\_\_\_\_ ☐ Include Court Costs

☐[CMT] SENTENCING COMMENTS -----

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 JUDICIAL OFFICER

STATE OF INDIANA )  
) SS:  
COUNTY OF MARION )

IN THE MARION SUPERIOR CRIMINAL COURT 14

STATE OF INDIANA )  
)  
v. )  
)  
ROCHELLE DENISE CARTER  
JAMES CARROLL MORGAN  
WILLIE HEMPHILL

CAUSE NO. 49G14-1611-CM-043093  
49G14-1611-CM-043094  
49G14-1611-F6-043092

MOTION TO CONTINUE

The State of Indiana moves the Court for a continuance of the trial setting in the above cause, and for its motion says:

1. This cause is currently set for evidentiary hearing on September 18, 2017;
2. Officer Walters will be out of town due to pre-scheduled familial obligations;
3. The State of Indiana believes the testimony of this witness to be true and is unable to prove the facts proved by this testimony through any other witness whose testimony can be as readily procured;
4. The State of Indiana cannot properly proceed without the testimony of this witness.
5. This motion is not intended for the purpose of undue delay;
6. The Defendants are out of custody;
7. Defense has been notified. The defense does not object and noted that he will be out of the country on October 16.

WHEREFORE, the State requests this Court grant this Motion for Continuance and for all other relief just and proper in the premises.

/s/Dakota Scheu  
DAKOTA SCHEU  
Deputy Prosecuting Attorney

CERTIFICATE OF SERVICE

I hereby certify that a complete and accurate copy of the foregoing was served upon Defendant's counsel via the Public Defender Agency's mailbox; by U.S. Mail, postage prepaid and properly addressed to the attorney of record; or by electronic service pursuant to Indiana Rules of Trial Procedure Rule 86, this date of filing.

/s/Dakota Scheu

DAKOTA SCHEU

Deputy Prosecuting Attorney

251 E. Ohio Street, Suite 160  
Indianapolis, IN 46204  
(317) 327-6684



STATE OF INDIANA     )  
                                      ) SS:  
COUNTY OF MARION    )

IN THE MARION SUPERIOR CRIMINAL  
COURT 14  
CRIMINAL DIVISION, ROOM E439

STATE OF INDIANA     )  
                                      )  
          VS                 )  
                                      )  
WILLIE HEMPHILL     )

Staff to Set Date  
September 7, 2017

**FILED**  
September 7, 2017  
*Myla R. Eldridge*  
CLERK OF THE COURT  
MARION COUNTY  
JG

CAUSE NUMBER. 49G14-1611-F6-  
043092

ORDER

The State of Indiana having filed its Motion for Continuance, in the following words and figures,  
to-wit: (H.I.)

And the Court having read and carefully considered same, now finds that said Motion should be  
GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the previously scheduled  
trial date, be vacated, and reset on **10/30/2017 at 1:30pm**, 2017.



Judge, Superior Court  
Marion Superior Criminal Court 14

Date: September 7, 2017

Distribution:  
MCPO: DAKOTA SCHEU  
Defense Counsel: Robert Scott Wallace

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

co Morgan

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 08/21/2017 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: Ky

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Scheu

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐ \_\_\_\_\_

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HEVID Date: 9-18-17 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 8/21/2017 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

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- ☐ [ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
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- ☐ [ARJTRNO] Transport Order Entered. \_\_\_\_\_.
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- ☐ [ADM] Defendant Removed from Interim Pre-trial Release Conditions.
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#### JUDGMENT

Count 1	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____
Count 2	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____

#### SENTENCE

☐ [INCON] CONFINEMENT-----

Sentence Type: ☐ Sentenced ☐ Remanded ☐ Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_.

Count 1	<input type="checkbox"/> Term _____ Years _____ Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____ Years _____ Days	<input type="checkbox"/> DOC	<input type="checkbox"/> Consecutive
	<input type="checkbox"/> Life	<input type="checkbox"/> Community Corrections	with Count/Case:
	<input type="checkbox"/> Death		_____

Comment: \_\_\_\_\_

Count 2	<input type="checkbox"/> Term _____ Years _____ Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____ Years _____ Days	<input type="checkbox"/> DOC	<input type="checkbox"/> Consecutive
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Comment: \_\_\_\_\_

☐ [FEE] FEES -----

☐ Add Standard Fees ☐ Add Custom Fees

☐ [ACOND] CONDITIONS -----

- ☐ [ACRF] Abstract: Credit Restricted Felon. ☐ [ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.
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- ☐ [AMAX] Abstract: Recommended Degree of Security – Maximum. ☐ [AMED] Abstract: Recommended Degree of Security – Medium.
- ☐ [AMIM] Abstract: Recommended Degree of Security – Minimum.

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

IN THE MARION SUPERIOR CRIMINAL  
COURT 14  
CRIMINAL DIVISION

STATE OF INDIANA     )  
                                  )  
                                  )  
                                  )  
                                  )  
WILLIE HEMPHILL     )

CAUSE NO. 49G14-1611-F6-043092

**STATE'S PETITION TO REVOKE BOND**

COMES NOW the State of Indiana by and through, DAKOTA SCHEU, Deputy Prosecuting Attorney for the 19TH Indiana Judicial Circuit, and Petitions the Court to Revoke Defendant's Bond and issue a warrant for Defendant's arrest. In support thereof, the State would show as follows:

1. That on or about November 3, 2016, Defendant was charged in the above captioned matter with Count 1: Dealing in Marijuana, a Level 6 Felony , Count 2: Possession of Marijuana, a Class A Misdemeanor ; said offense having occurred on or about on or about November 2, 2016;
2. That on or about November 3, 2016, Defendant had an initial hearing wherein Defendant was release to Community Corrections.
3. That on or about June 27, 2017, Defendant was again arrested and charged with: Count 1: Dealing in Marijuana, a Level 6 Felony , Count 2: Possession of Marijuana, a Class A Misdemeanor; said matter is pending in 49G14-1706-F6-023639, having occurred on or about the same date;
4. That on or about September 21, 2017, Defendant was again arrested and charged with: Count 1: Dealing in Marijuana, a Level 6 Felony , Count 2: Possession of Marijuana, a Class A Misdemeanor; said matter is pending in 49G25-1709-F6-036104, having occurred on or about the same date;
5. That Defendant has violated his terms and conditions of bond by not maintaining good and lawful behavior;
6. That probable cause has been found that Defendant has committed a new offense while on bond in this cause and therefore Defendant's actions show disdain for the Court's authority;
7. Defendant has now picked up two cases while on Community Corrections.

WHEREFORE, the State of Indiana prays the Court to Revoke Defendant's release or set hearing on same. Further, the State request a warrant be issued for Defendant's arrest and held without bond until further hearing can be held in this cause of action and for all other just and proper relief in the premises.

Respectfully submitted,

/s/Dakota Scheu

DAKOTA SCHEU, 32467-53  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a complete and accurate copy of the foregoing was served upon Defendant's counsel via the Public Defender Agency's mailbox; by U.S. Mail, postage prepaid and properly addressed to the attorney of record; or by electronic service pursuant to Indiana Rules of Trial Procedure Rule 86, this date of filing.

/s/Dakota Scheu  
DAKOTA SCHEU  
Deputy Prosecuting Attorney

Marion County Prosecutor's Office  
251 E. Ohio St., Ste. 160  
Indianapolis, IN 46204  
(317) 327-6684

STATE OF INDIANA     )  
                                      ) SS:  
COUNTY OF MARION    )

IN THE MARION SUPERIOR CRIMINAL  
COURT 14  
CRIMINAL DIVISION

STATE OF INDIANA     )  
                                      )  
                                      )  
                                      )  
                                      )  
WILLIE HEMPHILL     )

CAUSE NO. 49G14-1611-F6-043092

**ORDER**

COMES NOW, the State of Indiana, by and through DAKOTA SCHEU, Prosecuting Attorney for the 19th Indiana Judicial Circuit, and having filed its Petition to Revoke Bond, which Motion is in the following words and figures, to-wit:

(H.I.)

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the Court that the State's Petition to Revoke Bond is hereby GRANTED.

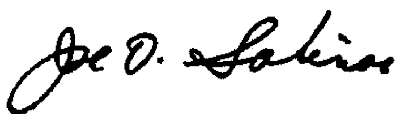
IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the Court that Defendant shall be held without bond in this cause.

ALL OF WHICH IS SO ORDERED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Judge  
Marion Superior Criminal Court 14  
Criminal Division, 200 E. Washington Street

Copies to:  
DAKOTA SCHEU, Deputy Prosecuting Attorney  
Robert Scott Wallace, Attorney for Defendant

Court will address at the next PTC/hearing date



September 29, 2017

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Evidentiary Hearing 10/30/2017 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: HR

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Schen

☒ Defendant in Person ☒ by counsel Robert Scott Wallace / ☐

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HEVID Date: 2-5-18 Time: 8:30 AM

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 10/30/2017 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

c o s Carter, Morgan

Courtroom Minutes – Criminal Court Trial/Jury Trial/Sentencing

State of Indiana v. WILLIE HEMPHILL Case Number: 49G14-1611-F6-043092 Gallery Number:

Hearing: Evidentiary Hearing 12/11/2017 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: Kyanis

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ B. Smith

☒ Defendant in Person ☒ by counsel Robert Scott Wallace / ☐

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant WILLIE HEMPHILL / ☐

☐ [NOC PD] Notice of Order to Produce Defendant on Cash Bond

☐ [NOSP D] Notice of Order to Produce Defendant on Surety Bond

☐ [NOSBF] Notice of Judgment of Bond Forfeiture

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

40D  
Motion to  
Suppress

**HEARINGS**

Future Hearing Type: HPTC Date: 1-8-18 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 1/31/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [QCSINT] Interpreter Services Used ☐ [QCSDC] Order of Acceptance into Drug Court ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [QCSRE] Order of Acceptance into Re-Entry Court ☐ [JAD] Taken Under Advisement ☐ [ARJTRNO] Transport Order Entered

☐ [ORCOA] Order to Release from Custody to be held for Other Agency. \_\_\_\_\_

☐ [SBDOA] Upon satisfaction of Bond, Defendant Held for Other Agency. \_\_\_\_\_

☐ [ORC] Defendant WILLIE HEMPHILL released as to this case only

☐ [PJI] S / D Proposed Jury Instructions. Preliminary Instructions. ☐ [PJI] S / D Proposed Jury Instructions. Preliminary Instructions.

☐ [ADMPINS] Preliminary Instructions Filed. ☐ [ADMFIN S] Final Instructions Filed.

☐ [MTD] Motion To Dismiss. Count(s) \_\_\_\_\_ ☐ [OGMTD] Granted ☐ [ODMTD] Denied

☐ Driver's License Suspension. Effective Date: \_\_\_\_\_ Suspension Length: \_\_\_\_\_ ☐ Days / ☐ Years.

☐ [BMVSUSP] Court Requests Suspension of Driver. ☐ [BMVSUSPOWI] Court Requests Suspension of Driver for OWI.

☐ [JEJV] Judgment Entered on Jury Verdict

**JUDGMENT**

Count 1 ☐ Finding of Guilty ☐ Finding of Not Guilty ☐ Dismissed ☐

Count 2 ☐ Finding of Guilty ☐ Finding of Not Guilty ☐ Dismissed ☐

**SENTENCE**

☐ [INCON] CONFINEMENT



Sentence Type: ☐ Sentenced ☐ Remanded ☐ Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_

**Count 1** ☐ Term \_\_\_\_\_ Years \_\_\_\_\_ Days Type: ☐ Jail ☐ Concurrent  
☐ Suspended \_\_\_\_\_ Years \_\_\_\_\_ Days ☐ DOC ☐ Consecutive  
☐ Life ☐ Community Corrections with Count/Case: \_\_\_\_\_  
☐ Death

**Comment:** \_\_\_\_\_

**Count 2** ☐ Term \_\_\_\_\_ Years \_\_\_\_\_ Days Type: ☐ Jail ☐ Concurrent  
☐ Suspended \_\_\_\_\_ Years \_\_\_\_\_ Days ☐ DOC ☐ Consecutive  
☐ Life ☐ Community Corrections with Count/Case: \_\_\_\_\_  
☐ Death

**Comment:** \_\_\_\_\_

☐ **[FEE] FEES** \_\_\_\_\_

☐ Add Standard Fees ☐ Add Custom Fees

☐ **[ACOND] CONDITIONS** \_\_\_\_\_

☐ **[ACRF]** Abstract: Credit Restricted Felon. ☐ **[ADOC]** Abstract: Currently Serving a Sentence Under DOC Custody.

☐ **[AMHC]** Abstract: Mental Health Concerns. ☐ **[API]** Abstract: Purposeful Incarceration.

☐ **[AMAX]** Abstract: Recommended Degree of Security – Maximum. ☐ **[AMED]** Abstract: Recommended Degree of Security – Medium.

☐ **[AMIM]** Abstract: Recommended Degree of Security – Minimum.

☐ **[ANR]** Abstract: Recommended Degree of Security – No Recommendation.

☐ **[ANA]** Abstract: Recommended Degree of Security – Not Applicable.

☐ **[RP]** Report to probation ☐ **[RCC]** Report to Community Corrections

☐ **[AADP]** Alcohol Abuse Deterrent Program. ☐ **[CC]** Community Corrections. ☐ **[CIP]** Community Impact Panel.

☐ **[CS]** Community Service. ☐ **[DIP]** Complete Driver Improvement Panel. ☐ **[COUN]** Counseling. ☐ **[COC]** Court Ordered Classes.

☐ **[DR]** Day Reporting. ☐ **[DNA]** DNA Sample. ☐ **[DLS]** Driver's License Suspension. ☐ **[DAM]** Drug/Alcohol Monitoring.

☐ **[EM]** Electronic Monitoring. ☐ **[HIV]** HIV Testing. ☐ **[HD]** Home Detention. ☐ **[LA]** Letter of Apology.

☐ **[MSE]** Maintain Steady Employment. ☐ **[NC]** No Contact. ☐ **[FIRE]** No Firearms. ☐ **[NA]** No New Arrests.

☐ **[ADD]** Notify Change of Address. ☐ **[OB]** Obtain a High School Diploma or GED. ☐ **[OVDL]** Obtain a Valid Driver's License.

☐ **[VISITPO]** Permit Visits from Probation Officer. ☐ **[PROB]** Probation.

☐ **[PBC]** Probation Consecutive to Sentence out of Another County. ☐ **[PE]** Psychological/Mental Health Evaluation/Treatment.

☐ **[RWJ]** Remain within Jurisdiction. ☐ **[RS]** Remain/Enroll in School. ☐ **[RC]** Road Crew. ☐ **[SA]** Stay Away Order.

☐ **[SE]** Substance Abuse Evaluation. ☐ **[SUP]** Support Dependents. ☐ **[MEDT]** Undergo Medical Treatment/Evaluation.

☐ **[UP]** Unsupervised Probation. ☐ **[URI]** Urinalysis. ☐ **[VIP]** Victim Impact Panel. ☐ **[WR]** Work Release.

☐ **[INAWD] MONETARY AWARD** \_\_\_\_\_

Awarded to \_\_\_\_\_ Awarded Against \_\_\_\_\_ Judgment \_\_\_\_\_

Interest Begins: ☐ \_\_\_\_\_ ☐ Include Court Costs

☐ **[CMT] SENTENCING COMMENTS** \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

IN THE MARION SUPERIOR CRIMINAL  
COURT 14

STATE OF INDIANA     )  
                                  )  
                                  )  
                                  )  
                                  )  
WILLIE HEMPHILL     )

CAUSE NO. 49G14-1611-F6-043092

MOTION TO CONTINUE

The State of Indiana moves the Court for a continuance of the trial setting in the above cause, and for its motion says:

1. This cause is currently set for trial on February 5, 2018;
2. REASON; Forensic Scientist Dustin Crawford will be out of state assisting with a crime lab accreditation assessment and will be unable to testify;
3. The State of Indiana believes the testimony of this witness to be true and is unable to prove the facts proved by this testimony through any other witness whose testimony can be as readily procured;
4. The State of Indiana cannot properly proceed without the testimony of this witness.
5. This motion is not intended for the purpose of undue delay;
6. The Defendant is out of custody;
7. Defense has not been notified. The State has made several attempts to contact Defense but has been unable to contact them;

WHEREFORE, the State requests this Court grant this Motion for Continuance and for all other relief just and proper in the premises.

/s/ Brandon Townsend  
Brandon Townsend  
Deputy Prosecuting Attorney

CERTIFICATE OF SERVICE

I hereby certify that a complete and accurate copy of the foregoing was served upon Defendant's counsel via the Public Defender Agency's mailbox; by U.S. Mail, postage prepaid and properly addressed to the attorney of record; or by electronic service pursuant to Indiana Rules of Trial Procedure Rule 86, this date of filing.

/s/ Brandon Townsend  
Brandon Townsend  
Deputy Prosecuting Attorney

251 E. Ohio Street, Suite 160  
Indianapolis, IN 46204  
(317) 327-5307

STATE OF INDIANA     )  
                                      ) SS:  
COUNTY OF MARION    )

IN THE MARION SUPERIOR CRIMINAL  
COURT 14  
CRIMINAL DIVISION, ROOM E439

STATE OF INDIANA     )  
                                      )  
          VS                )  
                                      )  
WILLIE HEMPHILL     )

CAUSE NUMBER. 49G14-1611-F6-  
043092

ORDER

The State of Indiana having filed its Motion for Continuance, in the following words and figures,  
to-wit: (H.I.)

And the Court having read and carefully considered same, now finds that said Motion should be  
GRANTED.

IT IS THEREFORE ORDERED, **ADJUDGED AND DECREED** that the previously scheduled  
trial date, be vacated, and reset on \_\_\_\_\_, 2018.

Staff to Set Date  
January 31, 2018



\_\_\_\_\_  
Judge, Superior Court  
Marion Superior Criminal Court 14

Date: January 31, 2018

Distribution:  
MCPO: Brandon Townsend  
Defense Counsel: Robert Scott Wallace

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Pretrial Conference 01/08/2018 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: Rm

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☒ A. L. Serrano

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant WILLIE HEMPHILL / ☐

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HPTC Date: 2/5/18 Time: 1pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 1/8/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

### Courtroom Minutes - Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Final PreTrial Conference 01/31/2018 1:30 PM

#### RESOURCES

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: xy

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ \_\_\_\_\_

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐ McGinley

#### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

#### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

#### HEARINGS

Future Hearing Type: HPTC Date: 2-26-18 Time: PM

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 1/31/2018 Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

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☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJRI] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 02/05/2018 1:30 PM

**RESOURCES**

Hearing Judge: ☐ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: H.R.

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Townsend

☐ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐

**WARRANTS**

☒ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HPRC Date: 2-20-18 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 2/5/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

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☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

COD

### Courtroom Minutes - Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 02/26/2018 1:30 PM

#### RESOURCES

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: \_\_\_\_\_

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ \_\_\_\_\_

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐ McGinley

#### WARRANTS

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☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

[HPTC] 3.26.18 @ 1pm  
[HFPTC] 4.18.18 @ 1pm

#### HEARINGS

Future Hearing Type: HST Date: 4.23.18 Time: 8:30am

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 2/26/2018 Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

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☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.



- ☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied
- ☐ [MTD] S / D Motion To Dismiss. Count(s) \_\_\_\_\_ ☐ [OGMTD] Granted ☐ [ODMTD] Denied
- ☐ [MLA] S / D Motion for Leave to Amend. Charge(s). ☐ [OGMLA] Granted ☐ [ODMLA] Denied
- ☐ [MT] S / D Motion to Terminate. \_\_\_\_\_ ☐ [OGMT] Granted. ☐ [ODMT] Denied.
- ☐ [MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐ [OGMARB] Granted. ☐ [ODMARB] Denied.
- ☐ [MCRH] S / D Motion for Compliance/ Hearing Review Filed . ☐ [OGMCRH] Granted. ☐ [ODMCRH] Denied.
- ☐ [JAD] Taken Under Advisement. \_\_\_\_\_
- ☐ [ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_
- ☐ [SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_
- ☐ [ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐ [ARJTRNO] Transport Order Entered. \_\_\_\_\_
- ☐ [ADMCON] Contempt. \_\_\_\_\_
- ☐ [ADM] Defendant Removed from Interim Pre-trial Release Conditions.
- ☐ [BMVSUSP] Court Requests Suspension of Driver. ☐ [BMVSUSPOWI] Court Requests Suspension of Driver for OWI.
- ☐ Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐ [BMVPCFSUSP] Failed with Immediate Suspension. ☐ [BMVPCRSUSP] Refused with Immediate Suspension.
- ☐ [BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐ [BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
- ☐ [BMVPCFINT] Failed with Court Ordered Ignition Interlock. ☐ [BMVPCRIINT] Refused with Court Ordered Ignition Interlock.
- ☐ [BMVSR16DEF] Delete a Probable Cause Failure. ☐ [BMVSR16DER] Delete a Probable Cause Refusal.
- ☐ [BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐ [BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

- |         |  |  |                                    |                                |
|---------|--|--|------------------------------------|--------------------------------|
| Count 1 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |
| Count 2 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |

#### SENTENCE

##### ☐ [INCON] CONFINEMENT-----

Sentence Type: ☐ Sentenced ☐ Remanded ☐ Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 1 | <input type="checkbox"/> Term _____ Years _____ Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____ Years _____ Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                             | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                            |  | _____                                |

Comment: \_\_\_\_\_

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 2 | <input type="checkbox"/> Term _____ Years _____ Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____ Years _____ Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                             | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                            |  | _____                                |

Comment: \_\_\_\_\_

##### ☐ [FEE] FEES -----

☐ Add Standard Fees ☐ Add Custom Fees

##### ☐ [ACOND] CONDITIONS -----

☐ [ACRF] Abstract: Credit Restricted Felon. ☐ [ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.

☐ [AMHC] Abstract: Mental Health Concerns. ☐ [API] Abstract: Purposeful Incarceration.

☐ [AMAX] Abstract: Recommended Degree of Security – Maximum. ☐ [AMED] Abstract: Recommended Degree of Security – Medium.

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 03/26/2018 1:30 PM

**RESOURCES**

Hearing Judge: ☐ Jose D Salinas / ☐ COM / ☒ MAG / ☐ TJ / ☐ PT / ☐ SR RH

Court Reporter: ky

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ \_\_\_\_\_

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐ \_\_\_\_\_

COA Morgan

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

McGonley?

**HEARINGS**

Future Hearing Type: HPTU Date: 4-2-18 Time: pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 3/26/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. As to this Case. ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

- ☐[MET] S / D Motion for Early Trial Filed ☐[OGMET] Granted ☐[ODMET] Denied
- ☐[MTD] S / D Motion To Dismiss. Count(s) \_\_\_\_\_ ☐[OGMTD] Granted ☐[ODMTD] Denied
- ☐[MLA] S / D Motion for Leave to Amend. Charge(s). ☐[OGMLA] Granted ☐[ODMLA] Denied
- ☐[MT] S / D Motion to Terminate. \_\_\_\_\_ ☐[OGMT] Granted. ☐[ODMT] Denied.
- ☐[MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐[OGMARB] Granted. ☐[ODMARB] Denied.
- ☐[MCRH] S / D Motion for Compliance/ Hearing Review Filed . ☐[OGMCRH] Granted. ☐[ODMCRH] Denied.
- ☐[JAD] Taken Under Advisement. \_\_\_\_\_.
- ☐[ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐[SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐[ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐[ARJTRNO] Transport Order Entered. \_\_\_\_\_.
- ☐[ADMCON] Contempt. \_\_\_\_\_.
- ☐[ADM] Defendant Removed from Interim Pre-trial Release Conditions.
- ☐[BMVSUSP] Court Requests Suspension of Driver. ☐[BMVSUSPOWI] Court Requests Suspension of Driver for OWI.
- ☐Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐[BMVPCFSUSP] Failed with Immediate Suspension. ☐[BMVPCRSUSP] Refused with Immediate Suspension.
- ☐[BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐[BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
- ☐[BMVPCFINT] Failed with Court Ordered Ignition Interlock. ☐[BMVPCRIINT] Refused with Court Ordered Ignition Interlock.
- ☐[BMVSR16DEF] Delete a Probable Cause Failure. ☐[BMVSR16DER] Delete a Probable Cause Refusal.
- ☐[BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐[BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

- |         |  |  |                                    |                                |
|---------|--|--|------------------------------------|--------------------------------|
| Count 1 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |
| Count 2 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |

#### SENTENCE

☐[INCON] CONFINEMENT-----

Sentence Type: ☐Sentenced ☐Remanded ☐Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_.

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 1 | <input type="checkbox"/> Term _____Years _____Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____Years _____Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                           | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                          |  | _____                                |

Comment: \_\_\_\_\_

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 2 | <input type="checkbox"/> Term _____Years _____Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____Years _____Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                           | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                          |  | _____                                |

Comment: \_\_\_\_\_

☐[FEE] FEES -----

☐Add Standard Fees ☐Add Custom Fees

☐[ACOND] CONDITIONS -----

☐[ACRF] Abstract: Credit Restricted Felon. ☐[ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.

☐[AMHC] Abstract: Mental Health Concerns. ☐[API] Abstract: Purposeful Incarceration.

☐[AMAX] Abstract: Recommended Degree of Security – Maximum. ☐[AMED] Abstract: Recommended Degree of Security – Medium.

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 04/02/2018 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: 164

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Townsend

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐ A. Seneno

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant WILLIE HEMPHILL / ☐

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

*July set  
vacate*

**HEARINGS**

Future Hearing Type: HPTC Date: 4-30-18 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 4/2/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRI] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied

MARION COUNTY PUBLIC DEFENDER AGENCY

151 North Delaware, Suite 200

Indianapolis, IN 46204-3320

Phone (317) 327-4100 Fax (317) 327-3754

TDD FOR HEARING IMPAIRED (317) 327-5186

CONFLICT DEFENSE APPEARANCE FORM (CRIMINAL)

Cause Number: 49G14-1611-F6-043092

Name of Defendant: WILLIE HEMPHILL

1. Defense Attorney Information (as applicable for service):

James Mcginley

Atty No: 23962-49

One North Pennsylvania Street North Suite 450

Indianapolis, IN 46206

Fax:

Email: jamesmcginleylaw@gmail.com

Business Phone: 317-507-5400

Alternate Phone: 317-327-4100

2. Defendant WILL NOT accept service by FAX

Note: If separate attorneys represent separate defendants or separate sets of defendants, use an appearance form for each separately represented defendant or set of defendants.

*Authority: Pursuant to Criminal Rule 2.1(B), this form shall be filed at the time of a criminal proceeding is commenced. In emergencies, the requested information shall be supplied when it becomes available. Parties shall advise the court of a change in information previously provided to the court. This format is approved by the Division of State Court Administration.*

49614 1611 F4 043092

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: \_\_\_\_\_

Gallery Number: 000000683723

Hearing: Pretrial Conference 04/30/2018 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: HTR \_\_\_\_\_

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor Terry Raymond Curry / ☐ \_\_\_\_\_

☒ Defendant in Person ☐ by counsel Robert Scott Wallace / ☐ McGinley

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HTR Date: 5-21-18 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 4/30/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied

\* Adm  
vacate all  
pre-trial  
release

### Courtroom Minutes – Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 05/21/2018 1:30 PM

#### RESOURCES

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: HR \_\_\_\_\_

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Townsend

☒ Defendant in Person ☒ by counsel James Michael Anthony McGinley / ☐ \_\_\_\_\_

#### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

#### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

#### HEARINGS

Future Hearing Type: HPTC Date: 5.24.18 Time: 1:00pm

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 5/21/2018 Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

STATE OF INDIANA  
COUNTY OF MARION

)  
) SS: MARION SUPERIOR COURT,  
) CRIMINAL DIVISION 14  
CASE NO. 49G14-1611-F6-043092  
49G141706F6023639  
49G141709F6036104  
49G141805F6014097

STATE OF INDIANA,  
  
State Plaintiff,  
v.  
  
WILLIE HEMPHILL  
  
Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ORDER FOR REMAND**

**Defendant WILLIE HEMPHILL** is remanded to custody of the Marion County Sheriff.  
Bond is set in the amount of: 500.00. Defendant may post bond to terminate commitment, if applicable.

Defendant is Ordered to Appear at the next hearing on May 29, 2018.

Defendant is taken into custody.

WILLIE HEMPHILL	09/10/1971	000000683723
Black	Male	5/29/2018

John Christ  
\_\_\_\_\_  
Jose D Salinas, Judge

5/24/2018  
\_\_\_\_\_  
Date



**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Pretrial Conference 05/24/2018 1:30 PM

**RESOURCES**

Hearing Judge: ☐ Jose D Salinas / ☐ COM / ☒ MAG / ☐ TJ / ☐ PT / ☐ SR JC

Court Reporter: KY

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Raeline

☒ Defendant in Person ☐ by counsel Ryan Thomas O'Connell / ☐ mcginnley

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

*Δ tested positive*

**HEARINGS**

Future Hearing Type: HPTC Date: 5-29-18 Time: 9:00am

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 5/24/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☒ Cash Bond of 500 and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

*A DHC*

- ☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied
- ☐ [MTD] S / D Motion To Dismiss. Count(s) \_\_\_\_\_ ☐ [OGMTD] Granted ☐ [ODMTD] Denied
- ☐ [MLA] S / D Motion for Leave to Amend. Charge(s). ☐ [OGMLA] Granted ☐ [ODMLA] Denied
- ☐ [MT] S / D Motion to Terminate. \_\_\_\_\_ ☐ [OGMT] Granted. ☐ [ODMT] Denied.
- ☐ [MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐ [OGMARB] Granted. ☐ [ODMARB] Denied.
- ☐ [MCRH] S / D Motion for Compliance/ Hearing Review Filed. ☐ [OGMCRH] Granted. ☐ [ODMCRH] Denied.
- ☐ [JAD] Taken Under Advisement. \_\_\_\_\_
- ☐ [ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_
- ☐ [SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_
- ☐ [ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐ [ARJTRNO] Transport Order Entered. \_\_\_\_\_
- ☐ [ADMCON] Contempt. \_\_\_\_\_
- ☐ [ADM] Defendant Removed from Interim Pre-trial Release Conditions.
- ☐ [BMVSUSP] Court Requests Suspension of Driver. ☐ [BMVSUSPOWI] Court Requests Suspension of Driver for OWI.
- ☐ Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐ [BMVPCFSUSP] Failed with Immediate Suspension. ☐ [BMVPCRSUSP] Refused with Immediate Suspension.
- ☐ [BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐ [BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
- ☐ [BMVPCFINT] Failed with Court Ordered Ignition Interlock. ☐ [BMVPCRINT] Refused with Court Ordered Ignition Interlock.
- ☐ [BMVSR16DEF] Delete a Probable Cause Failure. ☐ [BMVSR16DER] Delete a Probable Cause Refusal.
- ☐ [BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐ [BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

- |         |  |  |                                    |                                |
|---------|--|--|------------------------------------|--------------------------------|
| Count 1 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |
| Count 2 | <input type="checkbox"/> Finding of Guilty | <input type="checkbox"/> Finding of Not Guilty | <input type="checkbox"/> Dismissed | <input type="checkbox"/> _____ |

#### SENTENCE

☐ [INCON] CONFINEMENT \_\_\_\_\_

Sentence Type: ☐ Sentenced ☐ Remanded ☐ Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 1 | <input type="checkbox"/> Term _____ Years _____ Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____ Years _____ Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                             | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                            |  | _____                                |

Comment: \_\_\_\_\_

- |         |   |  |                                      |
|---------|---|--|--------------------------------------|
| Count 2 | <input type="checkbox"/> Term _____ Years _____ Days      | Type: <input type="checkbox"/> Jail            | <input type="checkbox"/> Concurrent  |
|         | <input type="checkbox"/> Suspended _____ Years _____ Days | <input type="checkbox"/> DOC                   | <input type="checkbox"/> Consecutive |
|         | <input type="checkbox"/> Life                             | <input type="checkbox"/> Community Corrections | with Count/Case:                     |
|         | <input type="checkbox"/> Death                            |  | _____                                |

Comment: \_\_\_\_\_

☐ [FEE] FEES \_\_\_\_\_

☐ Add Standard Fees ☐ Add Custom Fees

☐ [ACOND] CONDITIONS \_\_\_\_\_

☐ [ACRF] Abstract: Credit Restricted Felon. ☐ [ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.

☐ [AMHC] Abstract: Mental Health Concerns. ☐ [API] Abstract: Purposeful Incarceration.

☐ [AMAX] Abstract: Recommended Degree of Security – Maximum. ☐ [AMED] Abstract: Recommended Degree of Security – Medium.

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Pretrial Conference 05/29/2018 9:00 AM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR

Court Reporter: HR

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Ruzo

☐ Defendant in Person ☒ by counsel James Michael Anthony McGinley / ☐

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

**HEARINGS**

Future Hearing Type: HPTC Date: 6-4-18 Time: 9:00 AM

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 5/29/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied

*Custody  
not here*

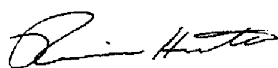
STATE OF INDIANA            )  
                                      )SS: IN THE MARION COUNTY SUPERIOR COURT  
COUNTY OF MARION        ) CRIMINAL DIVISION ROOM 14  
                                      ) CAUSE NUMBER: 49G14-1611-F6-043092  
  
STATE OF INDIANA            )  
                                      )  
                  Plaintiff,        )  
                                      )  
vs.                                )  
                                      )  
WILLIE HEMPHILL            )  
                                      )  
Defendant                    )

**REQUEST FOR TRANSCRIPT**

To: Clerk of Superior Court                   Holly Rawls  
     Criminal Division, Room Fourteen       Official Court Reporter

You are hereby requested and directed to prepare a true and complete transcript of the Evidentiary Hearing in the above cause number 49G14-1611-F6-043092, held on 11<sup>th</sup> of December 2017 beginning with and including a transcript of testimony of all witnesses; which shall include all testimony given and offered including questions, answers, objections and rulings by the Court, exceptions, offers to prove, holdings, arguments and comments by the Court and Counsel held in open Court with respect to the testimony of all State Witnesses. All documentation should be prepared and available on or before 11 June 2018. Defendant is scheduled for Jury Trial on 18 June 2018

Respectfully submitted,



Reviewed  
June 4, 2018

/s/James McGinley #23962-49

James McGinley  
Attorney for Defendant

151 E. Delaware, Suite 1950  
Indianapolis, In. 46204



STATE OF INDIANA            )  
                                      )SS: IN THE MARION COUNTY SUPERIOR COURT  
COUNTY OF MARION        ) CRIMINAL DIVISION ROOM 14  
                                      ) CAUSE NUMBER: 49G14-1611-F6-043092  
  
STATE OF INDIANA            )  
                                      )  
vs.                                )  
                                      )  
WILLIE HEMPHILL            )

**DEFENDANT'S LIST OF WITNESSES**

COMES NOW the Defendant, by James McGinley, and notifies the State that he may call the following witness at trial:

1. Any and all witnesses listed by the State or contained within the probable cause, whether or not called by the State:
2. The Defendant;
3. Schrelle Hemphill
4. Felix Lumpkins

Respectfully submitted,

/s/ James McGinley # 23962-49  
James McGinley 23962-49  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been served upon the Marion County Prosecutor's Office pursuant to Indiana Rule of Trial Procedure 86 via electronic filing on the date of filing.

/s/ James McGinley # 23962-49  
James McGinley  
Attorney for Defendant

James McGinley  
151 N. Delaware, Ste 1950  
Indianapolis, IN 46204

Ofc: (317) 507-5400



**IC 10-18-1-16 Indiana war memorial location; name; limitation on character and height of buildings in vicinity**

Sec. 16. (a) Out-lot five (5) and out-lot thirty-six (36), in Indianapolis, according to the original plat of the city, are dedicated and set apart as grounds for the Indiana War Memorial subject to the provisions of this chapter.

(b) Out-lots five (5) and thirty-six (36) dedicated in subsection (a), together with all or any part of squares five (5) and sixteen (16) or any part of those squares, in Indianapolis, according to the original plat of the city, that are acquired, dedicated, and set apart and added to the real estate dedicated in subsection (a) by:

(1) the state; or

(2) Indianapolis, by Marion County, or Indianapolis and Marion County jointly and then conveyed by the city, county, or city and county jointly by proper deed, grant, or contract to the state;

for War Memorial and other public purposes constitutes and shall be referred to as "Memorial Place". The permanent name of "Memorial Place" shall be selected by the commission.

(c) A necessity is declared to exist to limit:

(1) the kind, character, and height of buildings upon; and

(2) the use of real estate and buildings that are located within three hundred (300) feet of the outside boundaries of;

Memorial Place as constituted in this chapter. The commission may acquire, by purchase, donation, or condemnation, the right to limit the kind, character, and height of buildings upon and the use of real estate and buildings on real estate within three hundred (300) feet of the outside boundaries of Memorial Place.

(d) The commission shall erect and maintain in Indianapolis, upon or within grounds dedicated or acquired under this chapter, as the commission considers best, a suitable structure or structures:

(1) to commemorate the valor and sacrifice of the soldiers, sailors, and marines of the United States and of all others who rendered faithful, loyal, heroic, and self-sacrificing service at home and overseas in World War I;

(2) to provide a place or places of meeting and headquarters for organizations of soldiers, sailors, and marines or any other patriotic societies or associations;

(3) to keep records, archives, documents, flags, mementos, and relics; and

(4) for other public meetings and other public purposes;

to inculcate a true understanding and appreciation of the duties, benefits, and privileges of American citizenship and inspire patriotism and respect for the law to the end that peace may prevail, good will be promoted, justice be administered and established, public order maintained, and liberty and freedom under the law perpetuated.

[Pre-2003 Recodification Citation: 10-7-2-8.]

*As added by P.L.2-2003, SEC.9.*

**IC 10-11-2-28 Security at state buildings and grounds; special police employees; capitol police officers; rules**

Sec. 28. (a) The department shall maintain security and preserve the peace in and about the following:

- (1) The state capitol building.
- (2) A state office building.
- (3) A state parking facility.
- (4) A state motor pool garage.
- (5) A state warehouse.
- (6) The Indiana state library.
- (7) The governor's residence.
- (8) Any other building or property used by the state for any of the following purposes:
  - (A) Housing of personnel or activities of an agency or a branch of state government.
  - (B) Providing transportation or parking for state employees or persons having business with state government.

(b) A special police employee of the department assigned to the security activities under this section, other than an officer or police employee of the department who possesses police powers under section 21 of this chapter, possesses all of the common law and statutory powers of law enforcement officers except for the service of civil process.

(c) For purposes of [IC 5-2-1](#), a special police employee assigned to the security activities under this section, other than a regular police employee of the department, is a capitol police officer.

(d) Capitol police officers shall enforce [IC 4-20.5](#) and rules of the Indiana department of administration.

(e) The superintendent may adopt rules under [IC 4-22-2](#) to do the following:

- (1) Enforce [IC 4-20.5](#) and rules of the Indiana department of administration concerning the security of state property.
- (2) Carry out the responsibilities for security of state property under this section.

# Monument Circle attack highlights gaps in IMPD, ISP's safety partnership

POSTED 6:58 PM, OCTOBER 26, 2017, BY RUSS MCQUAID



## Monument Circle attack highlights gaps in police partnership downtown



INDIANAPOLIS, Ind. – The unprovoked attack on the steps of the Soldiers' and Sailors' Monument that left a Canadian visitor in a coma with head injuries last week has gotten the attention of IMPD commanders who admit they need a closer working relationship with Indiana State Capitol Police.

The assault last Thursday night was investigated by the division of the Indiana State Police which has authority over downtown state property such as the statehouse, the monument and the American Legion Mall.

"We need to figure out how we can better communicate, how we can get these things kind of nipped in the bud before they end up being five, six days out before we even know that there's an issue," said IMPD Sgt. Chris Wilburn after commanders learned the extent of the attack and the injuries following a story with the victim's friend on Tuesday.

“IMPS officers responded as they would normally but they don’t have jurisdiction in terms of the physical location of the monument,” said Wilburn. “That’s actually state jurisdiction, specifically the Capitol Police.”

While Capitol Police through ISP released a media advisory on the attack after a CBS4 inquiry following our original story, Wilburn said IMPD aggravated assault detectives or other patrol officers, who were familiar with the suspect Jonathan Belcher who had a history of similar attacks, did not learn of the incident or his arrest for several days.

“We learned through a series of medical issues that the victim had so we learned later on but we have to be invited in.”

That’s because the steps of the monument fall into a gray area that is within IMPD’s downtown district but remain the purview of the Capitol Police force with 42 officers that is often pressed into security duties at the statehouse and other memorial sites.

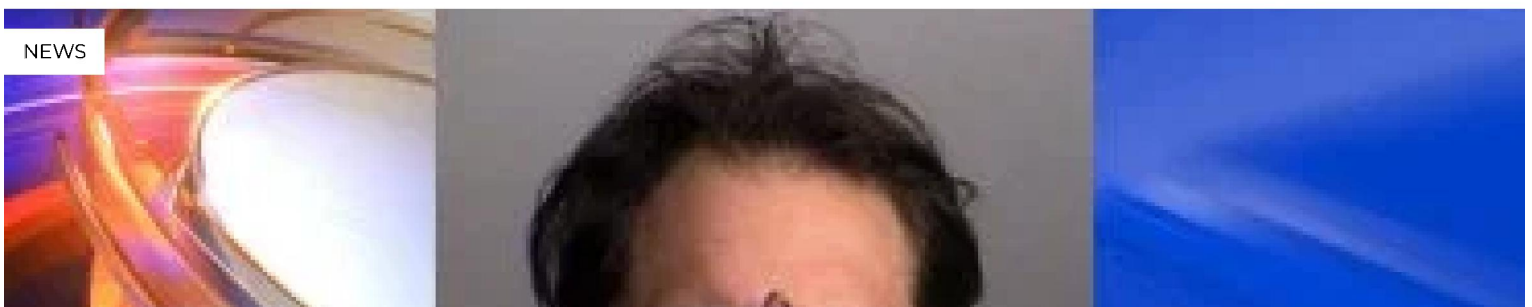
As a result, while IMPD officers can respond to an acute incident, such as the original report of the monument attack, they are restricted in their ability to proactively patrol such state properties, such as the mall and its greenspace, to evict trespass violators or restrict access to conform with closing times at other city parks.

A working agreement is currently in the hands of the city’s attorneys to permit IMPD and Capitol police to work closer together on enforcement and patrols.

“From what I understand there is a communication with our state partners and law enforcement to come up with some sort of position and place for a place where we can, meaning the IMPD, where we can enforce laws on that particular piece of land,” said Wilburn. “There are gray areas that we know and the IMPD officers responding to those runs know who those bad actors are, they know the gray areas, and we’re trying to do our best to make sure we’re heading in the right direction.”

ISP Sgt. Rich Meyers said the commander of Capitol police confers every couple days with the downtown IMPD district commander about recent incidents or ongoing enforcement efforts.

“We’re going to do a better job,” said Wilburn. “It’s unfortunate that you have to find and uncover these things but we’re gonna get better and we’re gonna get down to the bottom line on this.”

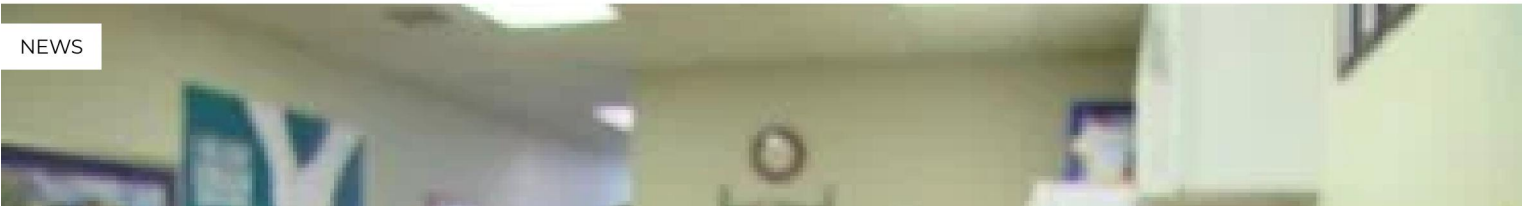




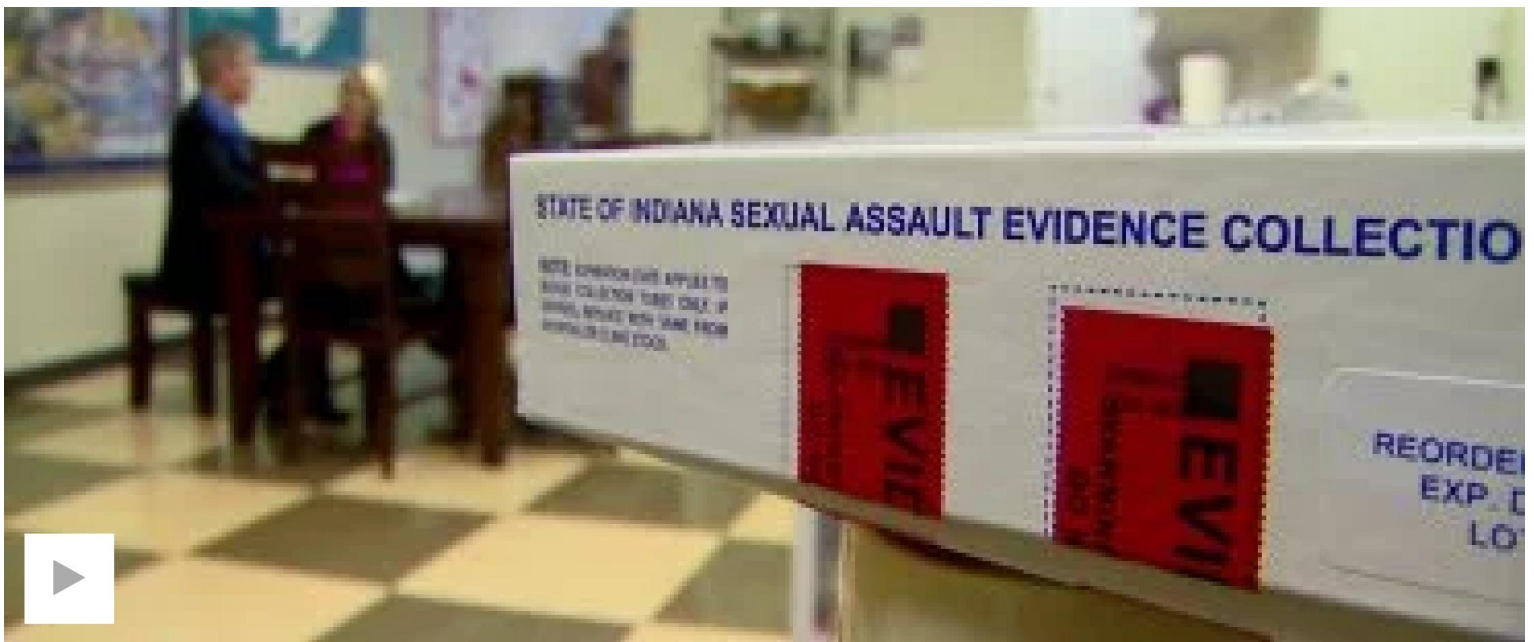
**Man who was attacked on Monument Circle last October passes away**



**Community members question police Merit Board decision clearing officers who fatally shot man**







**CBS4 investigation finds Indiana's approach to sexual assault inconsistent, especially for rape kits**



**Scene of downtown Indy stabbing was at site of police territorial dispute**





**10-year-old Florida boy stops by Indy to personally thank police officers**



**IMPD works with Kansas State Police for large drug bust leading to 5 arrests, seizure of 50 pounds of pot**



NEWS



**FOP announces recommendations in wake of IMPD Merit Board's decision on Aaron Bailey shooting**

NEWS





## IMPD daily intel briefing crucial to solving 1-year-old girl's murder



## IMPD recruits receive implicit bias training



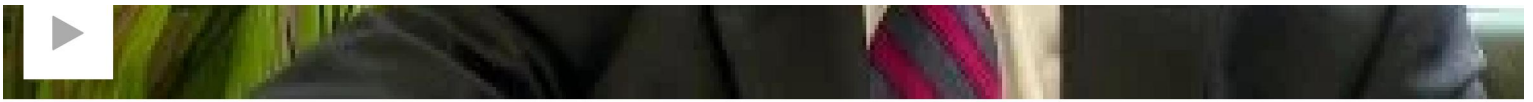


## Metro police searching for suspects who robbed 3 men at gunpoint on Monon Trail



## Fighting Fraud: CBS4 investigates how often hackers, scammers are hitting Hoosiers





**Indy FBI boss focuses on stopping mass casualty attacks**



**State collecting more DNA samples after new law**

# Downtown Indy stabbing scene site of police territorial dispute

POSTED 8:54 PM, APRIL 9, 2018, BY RUSS MCQUAID, *UPDATED AT 09:12PM, APRIL 9, 2018*

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**Scene of downtown Indy stabbing was at site of police territorial dispute**



INDIANAPOLIS, Ind. – The site where three people were stabbed and their alleged attacker injured downtown Saturday afternoon was on a patch of ground owned by the State of Indiana but protected by IMPD, because Capitol Police are too few to patrol the area.

Gary Madison, 57, faces three charges of battery with a deadly weapon after the attacks which left blood on the steps of the Central Library across East St. Clair Street from the American Legion Mall.

The Mall is a greenspace from North Meridian to North Pennsylvania Streets that spans several blocks south toward the War Memorial and is owned by the State and supposedly patrolled by Capitol Police. Since January 1, 2017, IMPD has filed dozens of crime reports listing 777 North Meridian Street, the address of the Mall, and made dozens of arrests on charges including robbery, drugs, assault and weapons possession.

Comparable Capitol Police arrest statistics were unavailable but downtown IMPD patrol officers and neighbors to the Mall have told FOX59 they rarely see Capitol Police on patrol let alone enforcing the law and making arrests.

In the past, Indiana State Police maintained the Capitol Police was undermanned to fulfill its mandate of protecting the statehouse, state office buildings, parking garages and the various locations including the Mall, the War Memorial, Monument Circle and the ISP Crime Lab northwest of downtown.

“They may have the same struggle that we have over the years,” said Jackie Nytes, CEO of the Indianapolis Public Library. “We’re supposed to be a public library. Why do we have to take all these extra steps? Maybe they’re feeling like, ‘We’re supposed to be a memorial, why do we have to take all these extra steps?’ Well, we all live in a city and in today’s culture we all have to take the extra steps.”

Nytes said the library employs its own security chief and force, maintains a ban list of persons not welcomed at the Central Branch and surveillance cameras to keep an eye on the property and the surrounding neighborhood.

The library has recorded only three drug overdoses in recent years and all employees will be trained in application of naloxone to revive overdosing patrons, said Nytes who lamented the Saturday attacks literally at the front door of the library which underwent a \$100 million renovation ten years ago.

“There are often people hanging around our building. That happens in a public building downtown that has fairly open access,” she said. “Things happen in the heart of downtown, things happen around our library that we can’t always control.”

According to statute, the Capitol Police, a division of Indiana State Police, is charged with patrolling and maintaining order on the American Legion Mall, where the stabbings occurred in an area well known drug dealing, substance abuse and assaults and discarded syringes have been spotted littering the ground.

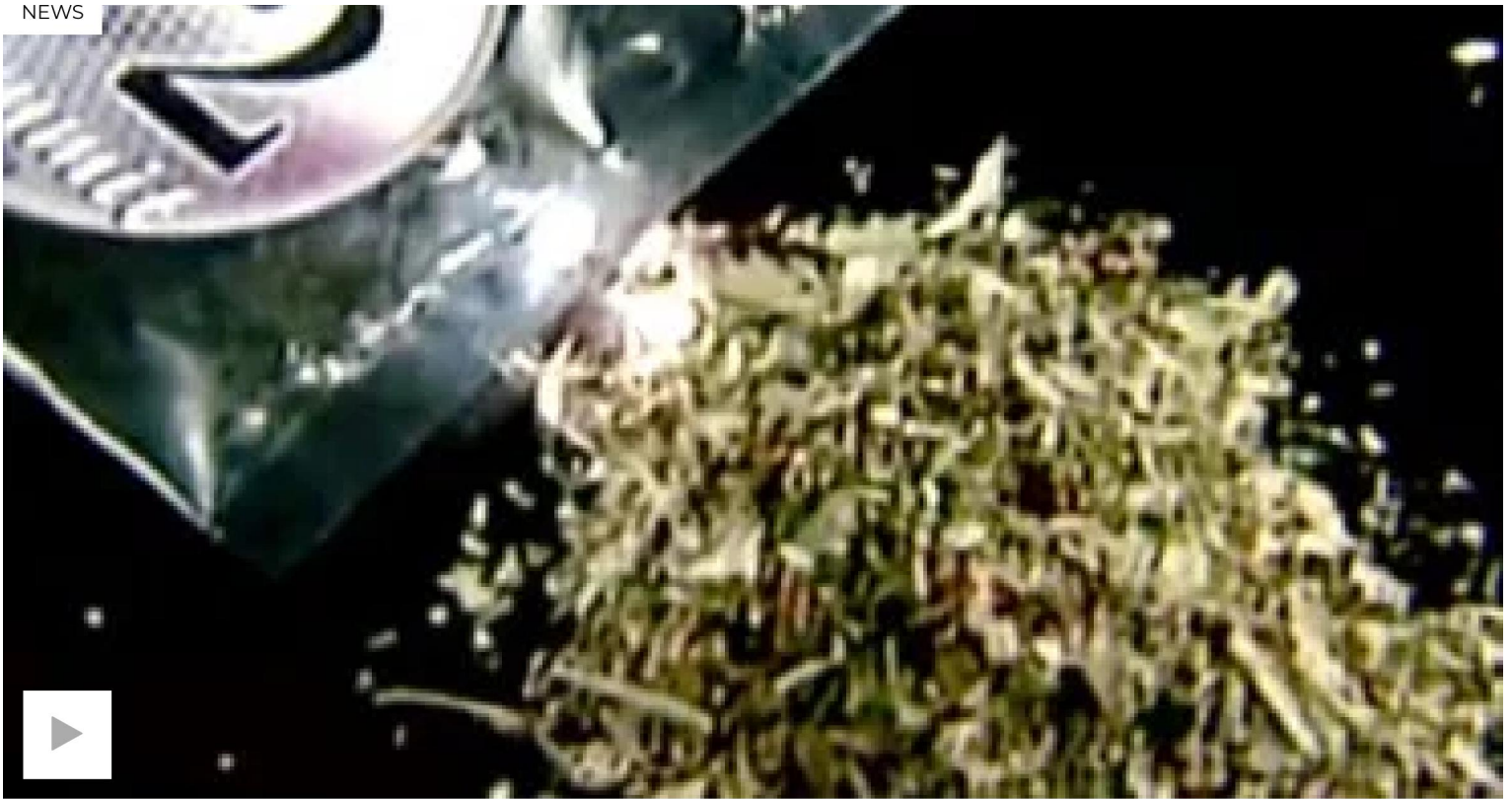
IMPD officers have told FOX59 that there are too few Capitol Police to be effective, they take no law enforcement actions and do not engage in the type of regular foot patrols that community and beat policing strategies employ to meet residents and pre-empt crime.

The Attorney General's office is engaged in developing protocols and a memorandum of understanding that would open its parks and monuments to proactive IMPD patrols and reduce the hours of park access to permit enforcement of trespassing laws.

ISP maintains that IMPD is welcome on its property during any emergency or in response to a criminal event while its Capitol Police officers often secure locations during large downtown events such as rallies and parades.







**Homeless shelter leaders encourage addiction recovery after increase in overdoses**



**Kansas police work with IMPD for drug bust resulting in seizure of \$92K, 50 pounds of pot, THC candies**

NEWS



## IMPD STARTS SMALLER POLICE BEATS

**Smaller beat patrols begin across Indy for IMPD officers**

NEWS



**IEMS responds to 10 overdoses within 4 hours in downtown Indy Thursday**





**IMPD says 2 people arrested in connection with shooting death of 1-year-old Malaysia Robson**





## Lebanon breaks ground on project to transform downtown



## Man charged after allegedly stabbing three people downtown Saturday



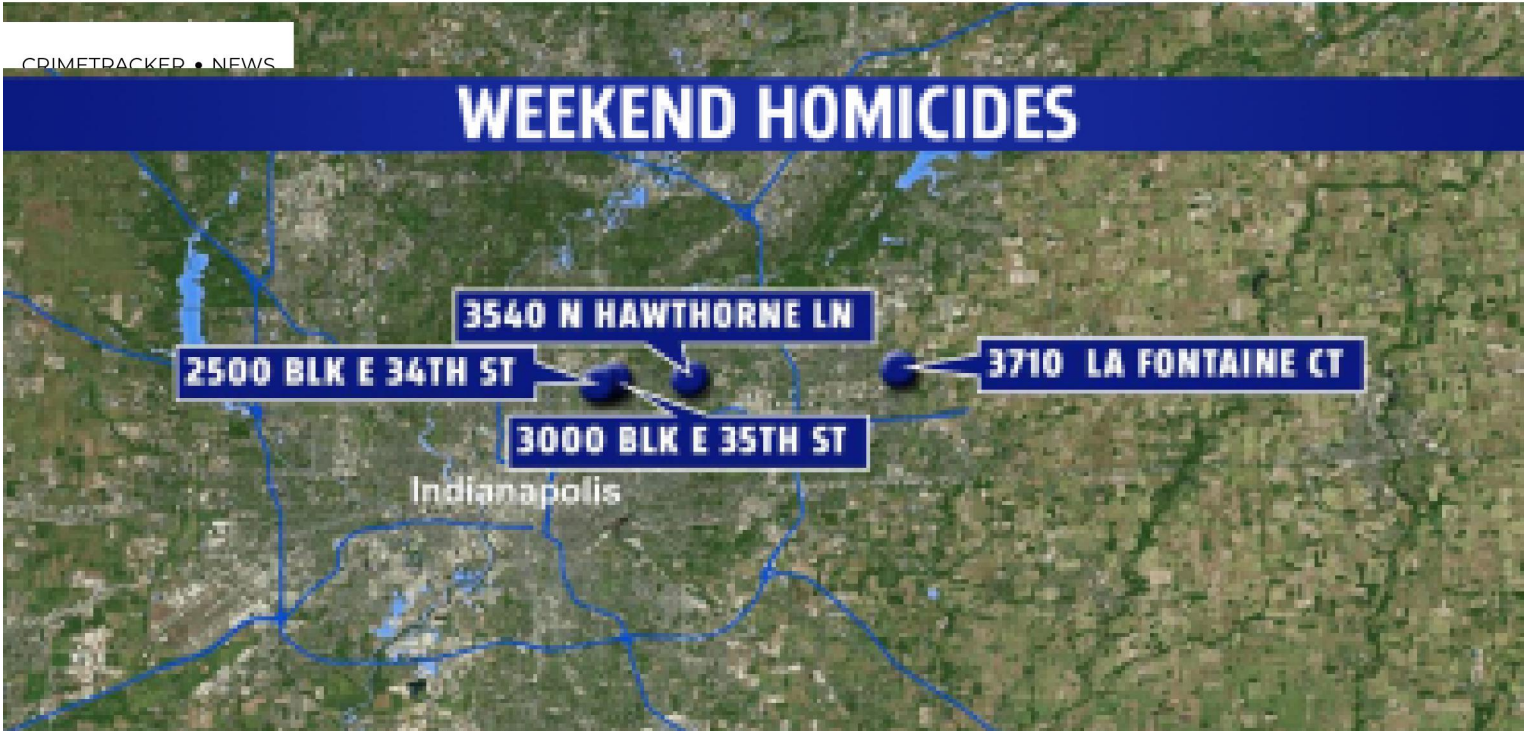




**Fun runs, food trucks and car shows to produce increased downtown traffic this week**



**Roundabout construction in downtown Greenwood set to begin June 11**





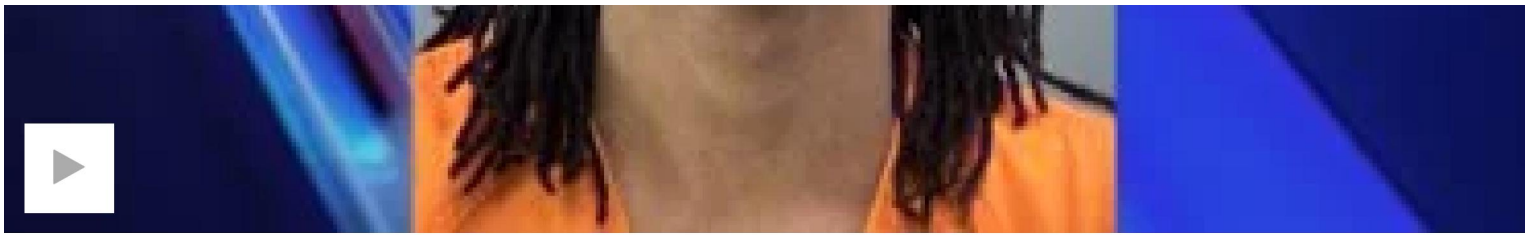


**UPDATE: Coroner identifies 4 victims killed in violent 3-day span across Indy**



**UPDATE: Police take suspect accused of attacking owner of Acapulco Joe's into custody**





**Teen faces charges in potential self-defense killing**



**Saks Fifth Avenue burglary suspects arrested with over \$14K worth of stolen merchandise in Tipton County**



Office Hours  
Monday-Friday  
9:00am – 4:00pm  
Please call to schedule a venue tour

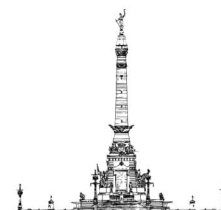
431 North Meridian Street  
Indianapolis, Indiana 46204  
events@iwm.in.gov  
(317) 233-0529  
Fax (317) 233-4285

Filed: 6/12/2018 3:21 PM  
Myla A. Eldridge  
Clerk  
Marion County, Indiana

## Indiana War Memorial Commission Facility Use Application and Agreement

### Steps to use an Indiana War Memorial facility:

1. Determine if Indiana War Memorial Commission Facility Use Agreement (FUA) is required. **Submission of the Facility Use Agreement is STRONGLY suggested for all events and gatherings to ensure the availability and the exclusive use of your desired venue.** Small gatherings of less than 50 people are permitted informal use of the outdoor spaces without submission of the FUA. These small gatherings are afforded no benefits (i.e.: guarantee of non-disruption and location, use of electric or water services, right-of-way, etc) as covered in the FUA, are not permitted use of stickers, chalk, glitter, rice, paint or grills/cooking appliances and must give-way to events and gatherings which have approval for use of the space. Candles are permitted in grass areas only. Erecting any tent or structure, selling goods/services or use of IWM supplied electric, water, fencing or security requires that this FUA be submitted to the IWMC.
2. Verify availability of date and venue by calling (317) 233-0529.
3. **At least thirty days prior to event** (when possible), return completed FUA to the Indiana War Memorial Commission (IWMC) by email, fax, or mail. Upon receipt of the completed document, the IWMC will determine approval within 14 days. Once a decision has been made, you will be contacted with details and an invoice.
4. (Wedding Receptions) Enter into contract with MBP Catering and one of the cleaning companies listed in Part VII; until this is confirmed, approval from the IWMC will not be granted.
5. Remit invoiced deposit within 30 days of approval notification. Submit caterer and bartender licenses and insurance certificate (reference Part II of the FUA).
6. (Exterior events requiring electric, water, fencing) Contact IWM Physical Plant Dir at (317) 716-8376.
7. (Large public events where alcohol is served) Contact the Indiana Excise Police at (317) 541-4100 <http://www.in.gov/atc/2410.htm>.
8. (Special Events) Contact the Indianapolis Department of Code Enforcement at (317) 327-4849 [www.indy.gov/specialevents](http://www.indy.gov/specialevents).
9. (Exterior entertainment events) Contact the Indiana Department of Homeland Security at (317) 232-2318 [www.in.gov/dhs/2795.htm](http://www.in.gov/dhs/2795.htm).







Office Hours  
Monday-Friday  
9:00am – 4:00pm  
Please call to schedule a venue tour

431 North Meridian Street  
Indianapolis, Indiana 46204  
events@iwm.in.gov  
(317) 233-0529  
Fax (317) 233-4285

## Indiana War Memorials Venue Fee Schedule

### Indiana War Memorials Commission

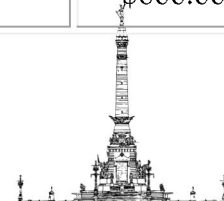
Interior Venues	Fee	*Deposit
Spruance Hall	\$350.00	\$150.00
Shoup Hall	\$350.00	\$150.00
Pershing Auditorium <small>Includes wedding ceremony without reception</small>	\$1,000.00	\$300.00
Grand Lobby	\$1,000.00	\$300.00
Woodfill Board Room	\$200.00	\$100.00
West Foyer <small>Fee waived with any interior rental</small>	\$150.00	\$100.00
Shrine Room <small>Limited in nature as to the type of event</small>	\$1,000.00	\$300.00
All Interior Venues <small>Includes ALL interior except Shrine Room</small>	\$2,200.00	\$550.00
Wedding Reception	\$3,000.00	\$600.00

\* Deposits are due within 30 days of event approval and may be higher than stated. The deposit amount is determined by the nature, size, and history of the event.

\*\* Large events hosted at American Legion Mall attracting greater than 30,000 people will incur a \$1,000.00 usage fee in addition to all stated fees.

\*\*\* Veterans Memorial Plaza and University Park may only be used for events attracting less than 3,000 people. Events attracting greater than 3,000 people are required to rent American Legion Mall.

Exterior Venues	Small	Average	Large	*Deposit
Soldiers & Sailors Monument	North or South Steps \$300.00	½ Circle \$800.00	Entire Circle \$1,500.00	\$300.00
War Memorial Promenade	Less than 50 people \$250.00	51- 200 people \$500.00	201+ \$800.00	\$250.00
**American Legion Mall	1-1,000 people \$800.00	1,000 – 10,000 people \$1,800.00	10,000 + \$3,000.00	\$800.00
***Veterans Memorial Plaza	1-500 people \$800.00	501 -1,500 people \$1,800.00	1,501 – 3,000 people \$3,000.00	\$800.00
***University Park	Less than 500 \$600.00	501 -1,500 people \$1,200.00	1,501 – 3,000 people \$2,500.00	\$600.00





Office Hours  
Monday – Friday  
9:00am – 4:00pm  
Please call to schedule a venue tour

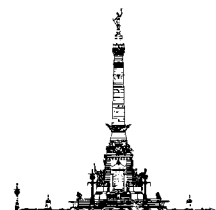
431 North Meridian Street  
Indianapolis, IN 46204  
events@iwm.in.gov  
(317) 233-0529  
Fax (317) 233-4285

## BACKGROUND

- The IWMC is an Agency of the State of Indiana, supported by Hoosier tax dollars appropriated from the State General Fund.
- The IWMC operates and maintains 24 acres in the heart of downtown Indianapolis. The IWMC's mission is to honor and commemorate the fidelity, valor and sacrifice of Hoosier Veterans. The User must use the facilities in a manner that is keeping with the spirit of patriotism, citizenship, and good will to others. It is unlawful to restrict the access to a venue by charging admission.
- The IWMC's properties stand as both shrines to the memory of Indiana's veterans and as beautiful examples of urban parks, monuments and memorials.
- The IWMC recognizes that one of the best ways to ensure our Veterans are remembered is to expose the largest possible numbers of visitors to the shrines/parks and structures. For this reason the IWMC has established extensive museum exhibits reflecting Hoosiers at war on behalf of the Nation. It is also for this reason that the IWMC permits and encourages the public to make use of the facilities for special events. The IWMC reserves the right to deny usage of property. The IWMC decision to approve or deny use of IWMC property shall not be based upon or influenced by the intent or content of the proposed event.
- No tax money is appropriated for the IWMC to subsidize the costs of special events; rather, the IWMC is obliged to recover those costs from event sponsors. The fees, charges and penalties set forth herein are intended to ensure that Indiana taxpayers do not cover the costs of special events.
- The buildings and grounds of the IWMC plaza are more than just splendid examples of architecture and beautiful urban parks. They are first and foremost, shrines to the memory of Indiana's veterans of the Armed Forces—living and dead. As such, the IWMC is committed to returning them to full functionality in not more than 48 hours from the end of a major event. Much shorter periods (12 to 24 hours) is the norm for all other events. Event sponsors must leave the venue in the same condition as before they arrived. To the extent they can do so with their own resources, they avoid paying for clean-up by IWMC staff. Erection of permanent structures, attaching anything to the exterior of the Monuments or Memorials and/or altering the image of the Monuments or Memorials in any way is strictly prohibited. The following documents, procedures, and policies ensure that the IWMC properties remain respectful Monuments and Memorials to our Military Veterans.

## USAGE FEES

- Usage fees are established to ensure recovery of state tax dollars consumed in the event process. Costs of event planning, coordinating logistics, area preparation, security, provision of special equipment and set up are all subject to recovery on a time and materials basis.
- Actual expenditures on the above expense items vary based upon: (1) size of venue, (2) duration of event, (3) numbers attending, (4) peak attendance numbers and (5) special services/materials provided.
- It is the goal of the IWMC to ensure that all events and gatherings are successful. In the case of a small personal gathering or event of short duration for which a FUA has been submitted, the IWMC may reduce or waive fees and insurance requirements. To be considered, the User must submit a request in writing at the time of submission of the FUA. This request must include a sworn statement of hardship that the event is not supported, sanctioned or advertised by any organization, business or foundation. With the exception of the sale of goods/services, the IWMC decision to reduce or waive fees and insurance requirements shall not be based upon or influenced by the intent or content of the proposed event.
- **Fees are waived for official events hosted by State Government and Official Military organizations and Veterans Groups.**





## Part I Event Information

Organization Name: \_\_\_\_\_ Fed ID: \_\_\_\_\_

Organization Type: Military ☐ Government ☐ Non-Profit ☐ Commercial ☐ Educational ☐ Personal ☐

Point of Contact Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Event Title: \_\_\_\_\_

Purpose for use of facility/describe event in detail: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Facilities Requested:** ☐ Wedding Reception (Interior IWM) ☐ Grand Lobby ☐ Spruance Hall ☐ Shoup Hall  
☐ Pershing Auditorium ☐ Woodfill Board Room ☐ West Foyer ☐ American Legion Mall ☐ IWM Promenade  
☐ Veterans Memorial Plaza ☐ University Park ☐ USS Indianapolis (CA-35) Monument (central canal)  
☐ Soldiers and Sailors Monument: ☐ Entire circle inside bollards ☐ Half circle inside bollards  
☐ North steps only ☐ South Steps only

Facility	Date	Set Up Time	Event Start Time	Event End Time	Clean Up Time Complete	Total Hours

List all dates including setup, rehearsal, event and tear down dates. Tear down and setup dates are charged 50% of the daily fee for the facility utilized.

Attendance total for event: \_\_\_\_\_ Maximum at one time: \_\_\_\_\_

### For office use only:

Date Received: \_\_\_\_\_ Venue Fee: \_\_\_\_\_ After Hours Fees: \_\_\_\_\_ Total Due: \_\_\_\_\_

Deposit: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Paid in Full: \_\_\_\_\_ Cancelled: \_\_\_\_\_

On Calendar: \_\_\_\_ Yes \_\_\_\_ No Tracking: \_\_\_\_ Yes \_\_\_\_ No Certificate on File: \_\_\_\_ Yes \_\_\_\_ No







## PART II Policies and Regulations

Thank you for considering the IWMC Property for your special event. We look forward to working with you and making your event successful. We ask that you follow these rules to ensure that your event goes smoothly and that the IWMC Properties are protected. Failure to comply will result in cancellation of event and possible prohibition of future events.

**Initial next to each item indicating that you have read and understand the rules and regulations set herein.**

**\*\*Wedding receptions are subject to additional rules and policies, see item #23 WEDDING RECEPTIONS.**

\_\_\_\_\_ 1) **CONDUCT:** The User is responsible for the decorum, peace, and good will associated with the User's activities and will seek to revere and safeguard the facility. The flag of the United States must be displayed in a prominent, respected position at each activity. User is responsible for set up requirements and for returning the facilities to the same condition as upon arrival. Pursuant to I.C. 10-18-1-24(4), political meetings that involve the building of a wall, fence, or other obstruction are prohibited within the bollards of the Soldiers and Sailors Monument. The IWMC and its agents reserve the right at any time to revoke a permit, cancel the facility rental agreement, cancel an event and/or "shut-down" an event in any case where it may be determined that the event may result in damage or disgrace to the IWMC properties/Monuments/Memorials or when the event may result in harmful or unsafe conditions for event staff, event attendees, IWMC staff and/or members of the general public.

\_\_\_\_\_ 2) **FEES AND RESERVATIONS\*\*:** Generally, the IWMC requires a Venue User Fee to utilize a venue. User Fees are due IN FULL no later than the day of the event. Deposits are due 30 days after confirmation of event reservation. The IWMC reserves the right to cancel or reschedule any event at least 60 days prior to the scheduled event. Other modifications to reservations may be made to ensure events do not conflict. The IWMC decision to cancel or reschedule an event shall not be based upon or influenced by the intent or content of an event.

a. The Venue User fee and damage deposit are waived for Official Military Events, Official Veterans Organization Events, and events held by State Government Agencies. These Users remain liable for any and all damages occurring to the IWMC as a result of their events. These Users are responsible for the set up requirements of their event and for returning the facilities to the same condition and set up as upon arrival.

b. Personal events for active duty Military or Retired Veterans will receive a fifty percent discount.

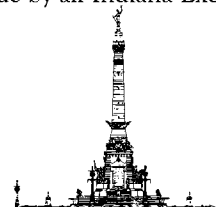
c. Events hosted by non-profit organizations will receive a fifty percent discount.

d. In the case of a small personal gathering or event of short duration for which a FUA has been submitted, the IWMC may reduce or waive fees. To be considered, the User must submit a request in writing at the time of submission of the FUA. This request must include a sworn statement of hardship that the event is not a supported, sanctioned or advertised by any organization, business or foundation. Fees are not waived for gatherings or events intended to garner revenue or profit for any individual, business or organization. With the exception of the sale of goods/services, the IWMC decision to reduce or waive fees shall not be based upon or influenced by the intent or content of an event.

e. Official Military and Veteran's Group event as well as events sponsored by the IWMC have scheduling priority.

\_\_\_\_\_ 3) **INSURANCE REQUIREMENTS:** The IWMC requires the User to obtain a General Liability Certificate of Insurance. The insurance policy must have a limit of not less than \$300,000.00 for injury to or death of one person in any one occurrence and not less than \$1,000,000.00 for injury or death of all persons in that occurrence. The Certificate of Insurance must name the State of Indiana and Indiana War Memorials Commission as additional insured for the time period covering the event (including set-up/tear-down). The Certificate of Insurance must be received by IWMC PRIOR to event date. This requirement is waived for government agencies hosting events. In the case of a small personal gathering or event of short duration for which a FUA has been submitted, the IWMC may waive the insurance requirement. To be considered, the User must submit a request in writing at the time of submission of the FUA. This request must include a sworn statement of hardship that the event is not supported, sanctioned or advertised by any organization, business or foundation. With the exception of the sale of goods/services, the IWMC decision to waive insurance requirement shall not be based upon or influenced by the intent or content of an event.

\_\_\_\_\_ 4) **ALCOHOL\*\*:** The consumption of alcohol is prohibited without the expressed written approval of the IWMC (see part VI). It may only be dispensed by a bartender with appropriate licensing and done so in accordance with all applicable laws. Bartender license copies must be provided to the IWMC prior to the event. All events are required to abide by all Indiana Excise regulations and policies which will be strictly enforced by the IWMC staff and security.





\_\_\_\_\_ 5) **INTERIOR AUDIO VISUAL EQUIPMENT:** The IWMC maintains a complete audio visual package for the auditorium and a portable audio unit for the meeting rooms/halls. Depending on the complexity of the AV requirements, there may be an additional charge for a technician at a rate of \$50.00 per hour. Users requesting the audio visual package are required to meet with the staff prior to the event to prepare the equipment. It is the responsibility of the User to obtain an appointment with the staff at least one day prior to the event if any equipment other than a microphone is required, to ensure that all computer presentations or other AV requirements are working properly.

\_\_\_\_\_ 6) **CANCELLATION:** User will receive 100% of prepaid fees when cancellations are made at least 60 days before the event. Cancellations made less than 60 days before the event will result in the forfeiture of the entire rental fee.

\_\_\_\_\_ 7) **CATERERS\*\*:** The IWM provides a list of Preferred Caterers as a suggestion and not a requirement. User may be required to pay \$100.00 when using a non-preferred caterer. Portable grills or cooking stoves are not allowed on IWMC properties.

\_\_\_\_\_ 8) **CLEANING AND TRASH REMOVAL:**

a. The property is deemed to be in satisfactory condition when it is left **in the same condition as it was prior to the event.** IWMC will conduct a post event inspection, ideally accompanied by User to determine condition of premises. In the event that User is not present, deficiencies will be recorded with photographs and provided to User along with invoice for cleaning/repair costs.

b. Users are required to remove from the premises all trash, decorations, and other materials immediately following the event and before vacating. When trash removal is not performed, the User will be charged a fee ranging from \$200.00 to \$1,000.00.

c. Users are responsible for any damage or stain which occurs as a result of the removal of trash. Specifically, the steps of the Indiana War Memorial will be required to be pressure washed if a stain is left behind. Pressure washing must be completed by a professional or experienced individual with the utmost care taken to preserve the integrity of the step surface and grout.

\_\_\_\_\_ 9) **DAMAGES:** The User assumes full responsibility for the character, acts, and conduct of all persons admitted on premises for event. The User is responsible for all damages to the premises caused by User's event. **If the User does not complete the requisite clean-up, trash removal, or fails to remediate damages, the venue will be restored by IWMC staff and/or contractor and User agrees to pay IWM for all damages and all labor, fees, and materials resulting from noncompliance of this agreement.**

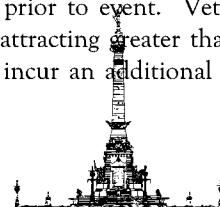
\_\_\_\_\_ 10) **DECORATIONS:** All decorations must be approved prior to event setup. The IWMC prohibits the use of nails, staples, thumb tacks, carpet tape, duct or masking tape, and other adhesive products on walls or IWMC surfaces/structures. Also prohibited is confetti, glitter, stickers, birdseed, fog machines, rice, paint, or chalk. Bubbles may be used in exterior spaces only. Candles are restricted to the exterior grass areas; interior candles must be appropriately contained and require prior approval from the IWMC.

\_\_\_\_\_ 11) **RENTALS: DELIVERIES AND RECEIVING:** All deliveries for an event must be prearranged through the IWMC. All materials used during an event must be removed from the premises immediately following the event unless other arrangements are made with IWMC. A ramp is located on the northwest side of the building on Michigan Street. The User is responsible for the security and safeguard of any materials and/or equipment introduced on the premises. No vehicle is permitted to drive/park on sidewalks or grass areas without prior written approval. If permission is granted, a protective material must be placed under the vehicle to prevent staining and/or the contamination of IWMC property.

\_\_\_\_\_ 12) **EQUIPMENT AVAILABLE:** The IWMC has limited quantities of tables and chairs available for interior use on a first come first served basis free of charge. Priority is given to military events.

\_\_\_\_\_ 13) **ELECTRICAL:** There is 110V, 20 AMP electrical service available in most interior areas of the IWMC and a limited amount of the same in the outdoor parks and Monuments. If electrical requirements are beyond what exists; the User should contact the Physical Plant Director at 317-716-8376 to determine if a licensed electrician is required to rectify the situation. A member of the IWMC maintenance staff must be present to assist the electrician. Users may opt to use generators for their electrical needs with the approval of the Physical Plant Director. A protective pad or mat is required to be placed under any fuel powered generator. The installation of grounding rods are not permitted on IWMC properties.

\_\_\_\_\_ 14) **EXTERIOR EVENTS:** Exterior event Users are required to contact the Physical Plant Director at 317-716-8376 (Monday – Friday 7am – 3pm) to clarify electric and water needs no later than seven (7) days prior to event. Veterans Memorial Plaza and University Park may only be used for events attracting less than 3,000 people. Events attracting greater than 3,000 people must rent American Legion Mall. Large events hosted attracting greater than 30,000 people will incur an additional \$1,000.00 usage fees. The





IWMC reserves the right to disapprove large events upon application receipt if the event is scheduled within seven (7) days of an already scheduled large exterior event. This right will be exercised with respect to the state of the exterior grounds, foliage and plantings.

\_\_\_\_\_ 15) **EVENT HOURS:** All interior events require the presence of IWMC Staff in addition to ILEA security and will be charged \$25.00 per hour for each hour the event runs past 5:00pm. Interior events must be completed and cleaned up by no later than midnight. If an event extends beyond the approved time, additional fees will apply. Daytime events may not interfere or impede daily operations during normal operating hours. The IWM Museum is open to the public Wednesday through Sunday 9:00am - 5:00pm, the Civil War Museum is open Wednesday through Sunday 10:30am - 5:30pm. Interior events are permitted to begin set-up 2 hours prior to the event.

\_\_\_\_\_ 16) **MUSIC AND ENTERTAINMENT:** Arrangements for music and other entertainment must be approved by IWMC. All music, entertainment, and other activities must not interfere with daily Museum operations. All music levels during the event must conform to the city/county noise ordinance.

\_\_\_\_\_ 17) **PHYSICALLY CHALLENGED AND PARKING:** Metered parking is available around the IWMC and the entire plaza. Handicapped parking is available on Michigan Street. An access ramp is located on the northwest side of the building on Michigan Street. No parking is permitted within the PERMIT zones on Michigan or North Streets.

\_\_\_\_\_ 18) **PRINTED MATERIALS, PROMOTION OF EVENTS AND SIGNAGE:** The User shall neither sell nor distribute anything of value without the prior consent of the IWMC. The User agrees to submit any information, including programs and invitations, containing the IWM name, image, or logo to the office for approval prior to printing or airing. Media coverage of the event must be approved by the IWMC prior to the event. All displayed signage must be approved by the IWMC.

\_\_\_\_\_ 19) **OTHER SERVICES:** Other special requirements will be dealt with on a case by case basis. If the IWMC cannot provide certain requirements, the event sponsor is free to seek assistance elsewhere with prior approval.

\_\_\_\_\_ 20) **SECURITY:** The IWMC is staffed with Capitol Police security; this security extends to the building and grounds and does not qualify as event security. Events requiring security presence are responsible for hiring an outside security firm.

\_\_\_\_\_ 21) **SMOKING:** Smoking is not permitted in the IWMC buildings. Smoking is permitted outside, in designated areas greater than 8 feet from any entrances or walkways leading to or from the IWMC buildings.

\_\_\_\_\_ 22) **PUBLIC SAFETY:** User is responsible for obtaining the proper permits for any stage or tent erected. For tents and stages, contact Indianapolis Department of Code Enforcement at (317) 327-4849 [www.indy.gov/specialevents](http://www.indy.gov/specialevents) and Indiana Department of Homeland Security at (317) 232-2318 [www.in.gov/dhs/2795.htm](http://www.in.gov/dhs/2795.htm). User is responsible for ensuring the safety of the public and all event staff and attendees. Exterior public events are required to have an emergency plan to include the User's point of contact for severe weather determination and evacuation of attendees and staff. The IWMC and its agents reserve the right at any time to revoke a permit, cancel the facility rental agreement, cancel an event and/or "shut-down" an event in any case where it may be determined that the event may result in damage or disgrace to the IWMC properties/Monuments/Memorials or when the event may result in harmful or unsafe conditions for event staff, event attendees, IWMC staff and/or members of the general public.

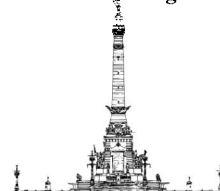
\_\_\_\_\_ 23) **WEDDING RECEPTIONS:** Wedding Receptions are subject to the following policies in addition to line items (not noted with " \*\* ") listed above:

**Fees:** A 50% discount may be applied to the Wedding Reception Rental Fee (\$3000.00) only in the case of the bride, groom, or parents of either the bride or groom being active duty Military or an honorably discharged Veteran. The use of Pershing Auditorium for rehearsal and Ceremony is included in the \$3000.00 fee. Wedding Ceremonies and Receptions are restricted to begin after the Museum closes (Wed - Sun 5pm); the IWM must be restored to public readiness prior to midnight.

**Caterers:** Wedding Receptions are restricted to contracting with MBP Catering; see Part VII.

**Cleaning and Trash Removal:** Wedding receptions are required to contract with one of the Cleaning Services listed in Part VII; no exceptions will be granted. Pre-payment of cleaning fees must be paid directly to the Cleaning Company prior to final approval of the Wedding Reception by the IWM; if Cleaning Company notifies IWM of non-payment, the Wedding reception is subject to cancellation. User is held responsible for all trash removal, damage to IWM facilities and for returning the facility to the same condition as it was prior to the wedding reception.

**Capacity:** Wedding Receptions are limited to 180 guests, including the wedding party.





### Part III Agreement

The information contained herein, shall upon acceptance by the Indiana War Memorials Commission (IWMC) become binding parameters governing the conduct of the requested event. Intentionally erroneous or misleading data will be grounds for cancellation or termination of the event.

I hereby affirm that the submitted information is true and correct to the best of my knowledge. I further affirm that I am authorized to apply for this permit and to enter into agreements on behalf of the User identified on this application. I have read and understand the rules and regulations governing the use of IWMC facilities, and agree to abide by the rules and regulations and ensure that the User identified herein also agrees to abide by said rules and regulations. The User agrees that while renting the IWMC properties the user will not exclude anyone from participation in, deny anyone benefits of, or otherwise subject anyone to discrimination because of a person's race, color, gender, religion, creed, national origin, ancestry, age or handicap.

The User agrees to indemnify, defend, and hold harmless the State of Indiana, the Indiana War Memorials Commission, and its agents, officers, members, guests, employees, and/or contractors from all claims and suits including court costs, attorney's fees and their expenses caused by any act or omission of the User or its contractors for the event described in this application.

The User further agrees to indemnify, defend, and hold harmless the State of Indiana, the Indiana War Memorials Commission, and its agents, officers, members, guests, employees, and/or contractors from all liability which may result from severe weather, an act of terrorism or other catastrophic event.

Applicant: \_\_\_\_\_  
(Individual requesting use of facilities)

Signature: \_\_\_\_\_

Event Name: \_\_\_\_\_

Event Date: \_\_\_\_\_

Date Signed: \_\_\_\_\_

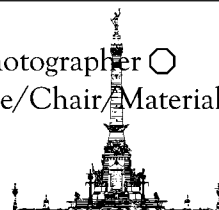
### Caterer's Information

Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone: \_\_\_\_\_ Delivery date and Time: \_\_\_\_\_

**Additional Vendors:** Independent Bartender ☐ Florist ☐ Photographer ☐  
Event Planner ☐ Staging ☐ Tent/Table/Chair/Material Rental ☐





## Part IV IWM Interior Venue Set-Up Request

The set up of the properties of the IWM is the responsibility of the User but the staff is willing to help if available. Materials including tables and chairs must be returned to the same location as prior to your arrival unless otherwise directed by the staff.

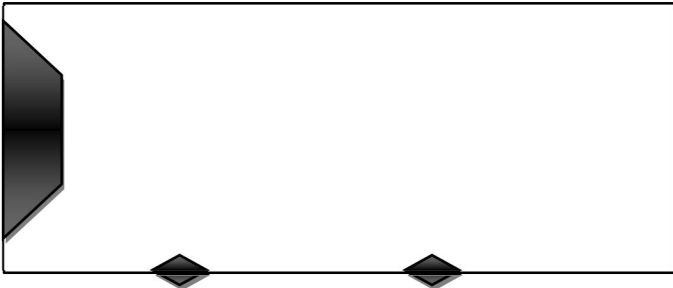
### Available Equipment

- 20 – 60” round banquet tables (seats 8)
- 20 – 8’ rectangular tables
- 10 tall cocktail tables (36” round)
- 170 white resin folding chairs
- 80 metal folding chairs
- Spruance Hall has 60 blue club style chairs
- Shoup Hall has 60 burgundy club style chairs
- Drop down screen available in Shoup and Spruance Halls and Auditorium
- One portable audio unit with microphone

### Spruance Hall

Draw a Diagram of your setup: Room Dimension 24’ x 55’

X = folding chairs C = club chairs ☐ or ☐ = tables

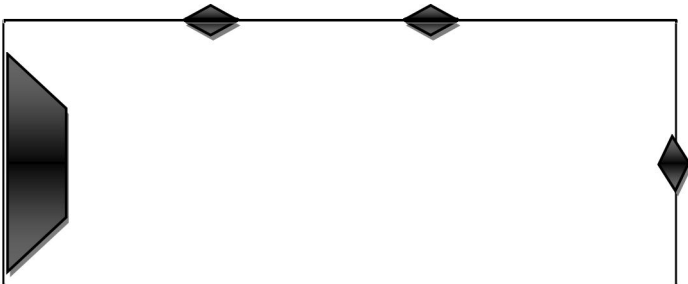


### Shoup Hall

(Has an attached kitchen area for food preparation and staging)

Draw a Diagram of your setup: Room Dimension 24’ x 55’

X = folding chairs C = club chairs ☐ or ☐ = tables



### Pershing Auditorium

The auditorium offers capabilities including computer presentations on a 15’ drop down video-format viewing screen, a 570-watt per channel audio system with CD, all in an acoustically sound theater that seats 500. The stage measures 26’ x 14’. User must provide laptop for presentations. The auditorium is dedicated to General Pershing, whose portrait adorns the backdrop of the stage. This portrait will not be covered for any event held in the Pershing Auditorium.

Podium \_\_\_\_\_ Yes \_\_\_\_\_ Number \_\_\_\_\_ No

State and National Flags \_\_\_\_\_ Yes \_\_\_\_\_ No

Number of microphones available: 1 lapel, 1 wireless, 6 corded

Number of microphones needed: (not to exceed 2 wireless)

\_\_\_\_\_ Wireless Lapel \_\_\_\_\_ Wireless handheld \_\_\_\_\_ Corded

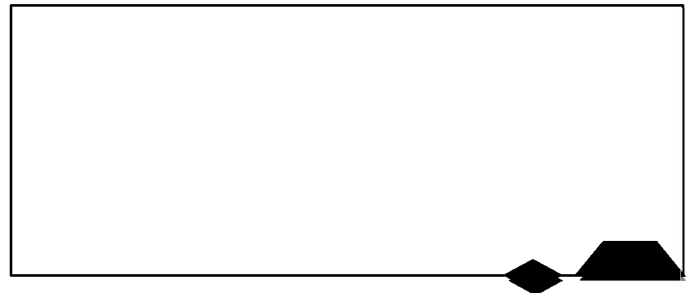
Video/PowerPoint Presentation \_\_\_\_\_ CD \_\_\_\_\_

Live Entertainment \_\_\_\_\_

### Grand Lobby

Draw a Diagram of your setup: Room Dimension 23’ x 117’

X = folding chairs C = club chairs ☐ or ☐ = tables



West Foyer dimensions: 20’ x 33’

East & West Hallway dimensions: 11’ x 99’

Shrine Room dimensions: 53’ x 53’ with 22’ x 22’ altar

MAXIMUM CAPACITY			
Venue	Lecture Set Up	Reception Style with Club Chairs	Reception Style with folding chairs
Grand Lobby	Not recommended	120	180
Shoup Hall	60	60	120
Spruance Hall	60	60	120
West Foyer	Not recommended	30	50





**Part V Outdoor Set-Up** (American Legion Mall, Veterans Memorial Plaza, IWM Promenade, University Park, Soldiers and Sailors Monument)

**Please specify your intended arrangements for the following:**

(NOTE: Activities marked with an \* will require separate approval from various city/county offices.)

**Event Parking** \_\_\_\_\_

**Portable Toilets: Number** \_\_\_\_\_ **Locations** \_\_\_\_\_

**Event Security** \_\_\_\_\_

\* **Street Closures** \_\_\_\_\_

\* **Food/Beverage Vending** \_\_\_\_\_

\* **Alcohol Beverage Sales** \_\_\_\_\_

**Merchandise Vending** \_\_\_\_\_

**Emergency Medical** \_\_\_\_\_

**Water/Electric Power Sources** \_\_\_\_\_

**Post Event Cleanup** \_\_\_\_\_

**Number/Type Trash Receptacles** \_\_\_\_\_

**Solid Waste Removal** \_\_\_\_\_

\*\*If trash is left on premises, User will be fined \$200.00 to \$1,000.00\*\*

\***Placement of Stage(s)** \_\_\_\_\_

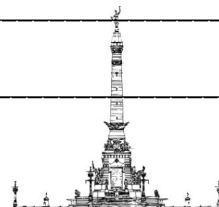
\***Placement of Tent(s)** \_\_\_\_\_

\*For tents and stages contact Indianapolis Department of Code Enforcement at (317) 327-4849 [www.indy.gov/specialevents](http://www.indy.gov/specialevents) and  
Indiana Department of Homeland Security at (317) 232-2318 [www.in.gov/dhs/2795.htm](http://www.in.gov/dhs/2795.htm).

**Other Planned Structures** \_\_\_\_\_

**List Contractors/Vendors Involved** \_\_\_\_\_

**Additional Details** \_\_\_\_\_





## Part VI Alcohol Use Request Form

Applicant: \_\_\_\_\_

Organization: \_\_\_\_\_

Event Name: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Requested Venue: \_\_\_\_\_

Beverages to be served:      Beer ☐    Wine ☐    Liquor ☐

Name of Licensed Bartender: \_\_\_\_\_

Company Name: \_\_\_\_\_

### Acceptance of Legal Responsibility by the Applicant/Responsible Person:

I fully understand that all alcoholic beverages must be served by a licensed bartender. I understand the liability related to the service of alcoholic beverages is not the liability of the Indiana War Memorial Commission, or the State of Indiana. I further understand that severe liability may result from the service of alcoholic beverages. I agree, by signing this use request, to accept any and all liability resulting from the service of alcoholic beverages during my event on the Indiana War Memorial Commission's properties. I further agree to hold harmless the Indiana War Memorial Commission and the State of Indiana from any and all claims resulting from the service of alcoholic beverages during this event.

\_\_\_\_\_  
Applicant/Responsible Event Sponsor Signature

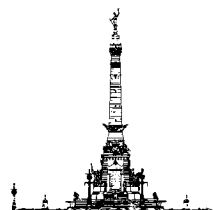
\_\_\_\_\_  
Date

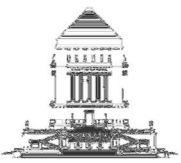
### For Office Use Only

\_\_\_\_\_ Approved      \_\_\_\_\_ Denied

Reason for Denial \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_





## Part VII Wedding Reception

Users utilizing Indiana War Memorial facilities for Wedding Reception are required to engage in contract with the following companies prior to Commission approval of the Wedding Reception.

Food and Beverage will be provided exclusively by MBP Catering.

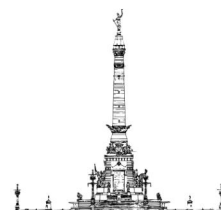
MBP Catering  
(317) 636-4444  
[www.mbpatering.com](http://www.mbpatering.com)

Cleaning Services will be provided by one of the three listed companies. User must ensure that the Indiana War Memorial is returned to pre-event condition prior to 12:00am. It is suggested that User arrange for the cleaning company to be onsite no later than 11:00pm. User is held responsible for all trash removal and damage to IWM. Cleaning Services should cost no more than \$200.00.

Kell's Cleaning  
Kelly Williams  
(317) 437-9327

IndyClean, Inc.  
Jill McBride  
(317) 610-6671

JTF Cleaning Service  
Torie Lowe  
(317) 640-1695







## Part VIII Preferred Caterers (not applicable for Wedding Receptions)

The preferred caterers listed below are provided as a suggestion.

The \$100.00 vendor fee (as listed in Part II, Item 7) is waived when a preferred caterer is utilized.

### Preferred Caterers

Hoaglin Catering & Hoaglin Every Day

(317) 924-3389

[www.hoaglincatering.com](http://www.hoaglincatering.com)

MBP Catering

(317) 636-4444

[www.mbpcatering.com](http://www.mbpcatering.com)

IndyAnna's Catering

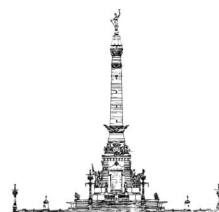
317-853-6575

[www.indyanna.com](http://www.indyanna.com)

Thomas Caterers of Distinction

(317) 542-8333

[www.thomascaterers.com](http://www.thomascaterers.com)



STATE OF INDIANA	)	IN THE MARION COUNTY SUPERIOR COURT
	)SS:	CRIMINAL DIVISION ROOM 14
COUNTY OF MARION	)	CAUSE NUMBER: 49G14-1611-F6-043092
STATE OF INDIANA	)	
	)	
vs.	)	
	)	
WILLIE HEMPHILL	)	

**MOTION TO DISMISS**

COMES NOW the Defendant, William Hemphill, by counsel, James McGinley, and and respectfully moves this Court, pursuant to I.C. 35-34-1-4, to dismiss all counts of the Information filed in this cause.

In support of his motion, the Defendant states:

1. On November 2, 2016, two Indianapolis Metropolitan Police Department (IMPD) officers approached the Defendant and a group of individuals at 500 N. Meridian Street, Indiana War Memorial Plaza, for having alcohol at the plaza.
2. The Defendant was subsequently searched, arrested and charged in the above-mentioned cause number with Count I: Dealing in Marijuana/F6 (with a prior conviction) and Count II Possession of Marijuana/MA (with a prior conviction).
3. Per Indiana Statute, this area is property of the State of Indiana, Indiana War Memorial Historic District.
4. Indiana Code 10-11-2-28 assigns security of this property to the Capital Police of the Indiana State Police who “shall” enforce State rules.
5. The Defendant did not commit or attempt to commit a crime in the presence of IMPD officers, and therefore IMPD officers had no legal authority to enforce, or attempt to enforce, Indiana War Memorial Commission rules with regards to alcohol on its property.

6. Furthermore, Defense has not received a written order from the Superintendent of the Indiana State Police Department to transfer security of this property to the Indianapolis Metropolitan Police Department per Indiana Code 10-11-2-28.
7. Therefore, Indianapolis Metropolitan Police Department had no jurisdiction, or legal authority, to enforce Indiana War Memorial rules and this matter must be dismissed pursuant to I.C. 35-34-1-4 (10).

In accordance with Criminal Rule 3, a memorandum stating specifically the grounds for dismissal is filed herewith and is incorporated by reference.

WHEREFORE, Defendant moves the Court to set this matter for a hearing if allegations set forth herein are denied by the State. If any of these allegations are admitted or shown at a hearing on the motion to be correct, Defendant requests the above-mentioned cause number, and all of its counts, to be dismissed.

Respectfully submitted,

/s/ James McGinley # 23962-49  
James McGinley 23962-49  
Attorney for Defendant

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been served upon the Marion County Prosecutor's Office pursuant to Indiana Rule of Trial Procedure 86 via electronic filing on the date of filing.

/s/ James McGinley # 23962-49  
James McGinley  
Attorney for Defendant

James McGinley  
151 N. Delaware, Ste 1950  
Indianapolis, IN 46204  
Ofc: (317) 507-5400

STATE OF INDIANA	)	IN THE MARION COUNTY SUPERIOR COURT
	)SS:	CRIMINAL DIVISION ROOM 14
COUNTY OF MARION	)	CAUSE NUMBER: 49G14-1611-F6-043092
STATE OF INDIANA	)	
	)	
vs.	)	
	)	
WILLIE HEMPHILL	)	

**MEMORANDUM IN SUPPORT OF**  
**DEFENDANT'S MOTION TO DISMISS**

**FACTS**

According to the probable cause affidavit in this matter on November 2, 2016, two Indianapolis Metropolitan Police Officers, John Walters and Mark Gregory, in full police uniform and fully marked police bicycles, were on bicycle patrol through the Indiana War Memorial Plaza at 500 N. Meridian Street. They observed a group of individuals with beer cans in their hands and confronted them about having alcohol on the property. One of the individuals, the Defendant, shoved an unknown object from his right hand into his pants pocket. Furtive movements were also noticed by the IMPD officers, however, no crime was seen by them. A subsequent pat-down search was conducted, where marijuana was allegedly found on the Defendant's person. The Defendant was arrested and charged with two counts in this matter, Count I: Dealing in Marijuana (F6) and Possession of Marijuana (MA).

### **ISSUE PRESENTED**

Do Indianapolis Metropolitan Police Department officers have jurisdiction to enforce Indiana War Memorial rules on Indiana State property?

### **SHORT ANSWER**

No. The Indiana War Memorial is property of the State of Indiana. Indiana Code 10-11-2-28 assigns security of this property to Indiana State Police, Capitol Police and there was no written agreement in place between the Capitol Police and the Indianapolis Metropolitan Police Department to share or transfer the security of that property to the Indianapolis Metropolitan Police Department.

### **DISCUSSION**

The Indiana War Memorial Plaza, is State of Indiana property, described in Indiana Code 10-18-1-16 (exhibit A, attached) and located within the Indiana War Memorial Historic District. Indiana Code 10-11-2-28 (exhibit B, attached) defines security at Indiana state buildings and grounds. Also under that statute, it states that Indiana Capitol Police are the officers who are assigned to security activities on that property, stating that “Capitol Police officers shall enforce IC 4-20.5 and rules of the Indiana department of administration”.

There is no mention that local law enforcement, such as Indianapolis Metropolitan Police Department, is granted any authority to enforce the security of this State of Indiana property.

Under Indiana Code 10-11-2-28 the superintendent may adopt rules to “carry out the responsibilities for security of state property under this section”, however no rules have been discovered by the State or found yet by the Defense to be in place pertaining to granting the Indianapolis Metropolitan Police Department jurisdiction to enforce Indiana War Memorial rules or policies.

Additionally, local news reports and videos have been written about IMPD lacking jurisdiction in the Indiana War Memorial Historic District. On October 26, 2017, Indianapolis television station Channel 4, cbs4indy.com, wrote of the jurisdictional issues in the downtown State of Indiana properties, “IMPD officers can respond to an acute incident, such as the original report of the monument attack, they are restricted in their ability to proactively patrol such state properties, such as the mall and its greenspace” (Exhibit C, Attached). That article also included that city attorneys were currently working on an agreement between the two police departments. In April of 2018, Indianapolis’ Fox 59 television website, fox59.com, wrote that “The Attorney General’s office is engaged in developing protocols and a memorandum of understanding that would open its parks and monuments to proactive IMPD patrols and reduce the hours of park access to permit enforcement of trespassing laws” (exhibit D, Attached).

There is no law in the State of Indiana against consuming alcohol in a public place. However, in the Indiana War Memorial Commission Facility Use Application and Agreement there is a provision against the consumption of alcohol (Attached, Exhibit E). Section II, Policies and Regulations, paragraph 4 it specifically mentions that alcohol is prohibited without the consent of the Indiana War Memorial Commission and that rule “will be strictly enforced by the IWMC staff and security.” Therefore, even the IWMC acknowledges that only staff and security, and not IMPD, are the only people who can enforce their alcohol policy.

Due to the fact that Indianapolis Metropolitan Police Department lacked jurisdiction to enforce security, specifically Indiana War Memorial rules, on State of Indiana property and did not see the Defendant in the commission of a crime, there exists jurisdictional impediment to convict the Defendant of the offenses charged, pursuant to I.C. 35-34-1-4 (10) and we request that all charges in this matter be dismissed pursuant to statute.

Respectfully submitted,

/s/ James McGinley # 23962-49  
James McGinley 23962-49  
Attorney for Defendant

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been served upon the Marion County Prosecutor's Office pursuant to Indiana Rule of Trial Procedure 86 via electronic filing on the date of filing.

/s/ James McGinley # 23962-49  
James McGinley  
Attorney for Defendant

James McGinley  
151 N. Delaware, Ste 1950  
Indianapolis, IN 46204  
Ofc: (317) 507-5400



**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Pretrial Conference 06/04/2018 9:00 AM

**RESOURCES**

Hearing Judge: ☒ Ronnie -M Huerta / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: Ky

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Townsend

☒ Defendant in Person ☐ by counsel Ryan Thomas O'Connell / ☐ McGinley

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

HFPTC

6.13.18

1:00pm

**HEARINGS**

Future Hearing Type: June Date: 6.18.18 Time: 8:30AM

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ Hearing(s) Vacated

**INTERIM CONDITIONS**

☒ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. As to this Case. ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

*Speedy deadline  
8.13.18*

*\* [URCOA]  
WORK  
RELEASE*

STATE OF INDIANA	)	IN THE MARION SUPERIOR
COURT	)	
	) SS:	
COUNTY OF MARION	)	CRIMINAL DIVISION, ROOM 14
STATE OF INDIANA,	)	
	)	
	)	
v.	)	CAUSE NO.: 49G14-1611-F6-043092
	)	
WILLIE HEMPHILL	)	
	)	

**STATE'S MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

Comes now the State of Indiana, by and through its undersigned Deputy Prosecuting Attorney, and hereby files its Response to Defendant's Motion to Dismiss. In support thereof, the State submits the following:

**Statement of Facts**

On December 11, 2017, an Evidentiary Hearing was held. At the hearing the Indianapolis Metropolitan Police Department Officer John Walters and Sgt. Mark Gregory testified.

Testimony included the following:

1. On November 2, 2016 at 7:38 p.m., Officer John Walters and Sgt. Mark Gregory with the Indianapolis Metropolitan Police Department were on bike patrol. While on bike patrol, the Officer's observed a group of individuals sitting at a picnic table at the Indiana War Memorial Plaza, 500 N. Meridian St., Indianapolis, Marion County, Indiana. The Officer's observed that the individuals either had beer cans in their hands or had beer cans sitting near them on the table.
2. Officer Walters believed that having alcoholic beverages in the park is prohibited. Officer Walters testified that there is a city ordinance that prohibits alcoholic beverages in city parks. Officer Walters believed he was "working under this ordinance" at the time of the incident.
3. In addition to the city ordinance, Officer Walter testified that at all four corners of the park, there are signs informing park guests that alcoholic beverages are prohibited inside

the park. Officer Walters believed he was also enforcing the no alcoholic beverages allowed in the park rule.

4. Officer Walters and Sgt. Gregory approached the individuals on their police issued bicycles. When the Officers got within ten feet of the individuals, Willie Hemphill, the Defendant, saw the officers and shoved an unknown object into his right front pant pocket. Officer Walters testified that in this area, people openly drink alcoholic beverages, openly use drugs and sell narcotics. Officer Walters believed that the Defendant was trying to conceal something from the police officers.
5. Officer Walters patted down the Defendant for officer safety. Officer Walters testified that he has come into contact with individuals carrying knives and guns in the park. Officer Walters also stated that there have been robberies committed at the parks in the downtown area.
6. During the pat down, Officer Walters could feel a baggie containing multiple similar sized baggies in Defendants' right pant pocket. Based on Officer Walters training and experience, he believed this to be marijuana or synthetic marijuana. A search of the Defendant's pocket revealed that the baggie contained marijuana.
7. Defendant was arrested for Count I: Dealing in Marijuana, a Level 6 Felony (with a prior conviction) and Count II: Possession of Marijuana, a Class A Misdemeanor.
8. The Motion to Suppress was denied on December 11, 2017.
9. The Court held that based on the following factors, the pat-down of the Defendant was lawful.
  - a. As the Officers were approaching, the Defendant suddenly shoved his hand into his pocket;
  - b. The number of individuals the Officers were dealing with;
  - c. Time of day;
  - d. The Officers have recovered weapons in the park on previous occasions;
  - e. The Officers training and experience.

## **Argument**

### **1. Jurisdiction to Enforce Indiana War Memorial Rules**

The State of Indiana agrees with Defense that at the time of Defendants arrest, there was not a working agreement between the Indianapolis Metropolitan Police Department and the State of Indiana to allow Indianapolis Metropolitan Police Department to enforce the posted rules of the Indiana War Memorial. These “rules” are not a criminal in nature and include the following:

- a. No Alcoholic Beverages
- b. No Motorized Vehicles
- c. No Dogs Without Leashes
- d. No Loitering
- e. Pickup After Your Pets
- f. Do Not Feed The Birds
- g. Do Not Litter

### **2. Enforcing Ordinance Violations**

The Indiana Court of Appeals has said, “It is well settled that a police officer may briefly detain a person whom the officer believes has committed an infraction or an ordinance violation.” *Croom v. State*, 996 N.E.2d 436, 441 (Ind.App. 2013). Additionally, Indiana Code 34-28-5-3 provides the enforcement mechanism for enforcing ordinances. According to I.C. 34-28-5-3, Whenever a law enforcement officer believes in good faith that a person has committed an infraction or ordinance violation, he may detain that person for a time sufficient to:

- A. Inform the person of the allegation;
- B. Obtain the person’s:
  - a. Name, address, and date of birth; or
  - b. Driver’s license, if in his possession; and
  - c. Allow the person to execute a notice to appear.

In this case, the Officers approached the group of individuals because the group had beer cans, either in their hands or on the picnic table in front to them. Officer Walters testified he believed this was a violation of not only the park rules, but was also a violation of the city ordinance relating to alcoholic beverages being prohibited in parks. Based on *Croom v. State*, 996 N.E.2d 436 (Ind. App. 2013) and Officer Walters good faith belief that the individuals committed an ordinance violation, the Officers would have been within the law to briefly detain the individuals for the suspected ordinance violation.

### **3. Jurisdiction to Enforce Laws in the State of Indiana**

Defense correctly stated that the Officers do not have the authority to enforce Indiana War Memorial Rules. However, Defense is incorrect in asserting that the Officers do not have jurisdiction to enforce the Indiana Criminal Code on the Indiana War Memorial Property. Indiana law does not place a "jurisdictional limitation on the authority of law enforcement officers, including city police officers, to detain or stop individuals for committing infractions." *Lashley v. State*, 745 N.E.2d 254, 258 (Ind.App. 2001).

The actions of pulling someone over, arresting him, etc. are within the general scope of a police officer's authority under the law. Although *Lashley's* ruling is specifically on jurisdictional limitations of a police officer to detain or stop for infractions, the State would assume that there are also no jurisdictional limits to making arrests.

In this case, Officer Walters actions were within the scope of a police officer's authority. The Officer's approached the individuals regarding a city ordinance/park rule violation. As the Officers were approaching, the Defendant shoved his hand into his pocket. Concerned for officer safety, a pat down of the Defendant was conducted, where it was discovered by Officer Walters that the Defendant had a substantial amount of marijuana in his pocket, which is a clear violation of I.C 35-48-4-10(a)(1) and I.C. 35-48-4-11(a)(1).

### **4. Fourth Amendment and Investigatory Stops**

Police may "make a forcible stop of a person when the officer has reasonable, articulable suspicion that the person has been, is, or is about to be engaged in criminal activity." *United*

*States. v. Place*, 462 U.S. 696, 702 (1983); *Corwin v. State*, 962 N.E.2d 118, 120 (Ind.App. 2012); *Crabtree v. State*, 762 N.E.2d 241 (Ind.App. 2002). The suspicion of criminal activity does not need rise to the level of probable cause, the suspicion only needs to be “reasonable.” *Terry v. US*, 392 U.S. 1 (1968). For the requirement of a reasonable suspicion of criminal activity to be satisfied, “the police officer must be able to point to specific and articulable facts which, reasonably taken together with rational inferences with those facts, reasonably warrant that intrusion.” *Id*

As to the Indiana Constitution, the Court of Appeals has held “the protections provided by Article I, § 11 of the Indiana Constitution regarding investigatory stops to be consistent with federal interpretation of the protections provided by the Fourth Amendment to the United States Constitution.” *State v. Bulington*, 783 N.E.2d 338, 348 (Ind.App. 2003). The totality of the circumstances must be considered in whether the investigatory stop was based on a reasonable suspicion. *Shinault v. State*, 745 N.E.2d 241 (Ind. Ct. App. 2001).

Defendant’s rights under Article I, Section 11 of the Indiana Constitution and the Fourth Amendment of the United States Constitution were not violated. The Officers originally approached the group of individuals due to a park rule/city ordinance violation. However, prior to making contact with the Defendant regarding the violation, the Defendant shoved his hand in his pocket. Defendant’s action of shoving his hand in his pocket, in what Officer Walters described as an attempt to conceal something from the Officers, amounted to reasonable articulable suspicion that a crime was occurring, thus permitting an investigatory stop under the Fourth Amendment. The specific, articulable facts of the area being known for high narcotics activity, robberies and weapons arrests satisfy the requirement of reasonable articulable suspicion to detain.

## **5. Reasonable Conduct Under Indiana Constitution**

To determine whether a search or seizure violates Article I, Section 11 of the Indiana Constitution, courts must evaluate the “reasonableness of the police conduct under the totality of the circumstances.” *Litchfield v. State*, 824 N.E.2d 356, 359 (Ind.2005) (citing *Moran*, 644 N.E.2d at 539). In *Litchfield*, the Indiana Supreme Court held “In sum, although we recognize there may well be other relevant considerations under the circumstances, we have explained reasonableness of a search or seizure as turning on a balance of: 1) the degree of concern,

suspicion, or knowledge that a violation has occurred, 2) the degree of intrusion the method of the search or seizure imposes on the citizens' ordinary activities, and 3) the extent of law enforcement needs.” *Id.* at 361. Additionally, when evaluating whether an officer’s conduct was reasonable within the totality of the circumstances, Indiana courts must consider the facts as a whole along with the officer’s training and experience. *McGrath v. State*, 2018 Ind. LEXIS 328 \*10 (2018) (citing *District of Columbia v. Wesby*, - U.S. -, 138 S. Ct. 577, 589 (2018)).

The conduct of the Officers was reasonable under the three factors of the *Litchfield* balancing test. First, the degree of concern, suspicion, or knowledge that a violation has occurred was high. The Officers testified that the area being known for high narcotics activity, such as drug use and drug sales. Additionally, upon seeing the Officers, the Defendant immediately shoved his hand into his pocket. Officer Walters believed the Defendant was trying to conceal something from the Officers.

Secondly, the degree of intrusion the method of the search or seizure imposes on the citizens' ordinary activities is low. The Officers’ action of riding up to the Defendant to discuss the ordinance violation/park rule is minimal. Only after the Defendant made furtive movements that the Officers decided to conduct an outer clothing pat down.

Lastly, the extent of law enforcement needs is high. Law enforcement officers have a high priority for officer safety and to stop narcotic activity in the park.

### **Conclusion**

Wherefore, the State respectfully requests this Court to find in favor of the State and deny the Defendant’s Motion to Dismiss.

Respectfully,

/s/ Brandon Townsend

Brandon Townsend

Deputy Prosecuting Attorney

## **CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been served upon the defendant via his counsel of record by either personal service, first class U.S. mail, or by placing a copy in the public defender's mailbox, on this the date of filing.

/s/ Brandon Townsend

Brandon Townsend

Deputy Prosecuting Attorney

Marion County Prosecutor's Office

251 East Ohio Street, Suite 160

Indianapolis, Indiana 46204

(317) 327-5466



STATE OF INDIANA	)	IN THE MARION SUPERIOR
COURT	)	
	) SS:	
COUNTY OF MARION	)	CRIMINAL DIVISION, ROOM 14
STATE OF INDIANA,	)	
	)	
	)	
v.	)	CAUSE NO.: 49G14-1611-F6-043092
	)	
WILLIE HEMPHILL	)	
	)	

SUPPLEMENT TO THE STATE’S MOTION IN OPPOSITION TO DEFENDANT’S  
MOTION TO DISMISS

Comes now the State of Indiana, by and through its undersigned Deputy Prosecuting Attorney, and respectfully requests the Court add the following document to the State’s Motion in Opposition of Defendant’s Motion to Dismiss that was filed on June 20, 2018.

**1. Jurisdiction to Enforce Indiana War Memorial Rules**

The State of Indiana agrees with Defense that at the time of Defendants arrest, there was not a working agreement between the Indianapolis Metropolitan Police Department and the State of Indiana to allow Indianapolis Metropolitan Police Department to enforce the posted rules of the Indiana War Memorial. These “rules” are not a criminal in nature and include the following:

- a. No Alcoholic Beverages
- b. No Motorized Vehicles
- c. No Dogs Without Leashes
- d. No Loitering
- e. Pickup After Your Pets
- f. Do Not Feed The Birds
- g. Do Not Litter

However, just because the Officers cannot enforce the park rules, doesn’t mean the Officers acted inappropriately. The Officers rode their bicycles in the Defendant’s direction to speak to him about a park rule violation. The Officers never communicated the rule violation to the

Defendant. When the Officers were around ten feet away from the Defendant, Defendant shoved his hand in his pocket. At that time, the Officers conducted a pat-down of the Defendant.

The period of time from when the Officers observed the rule violation until the Officers patted down the Defendant was consensual. A consensual encounter that does not implicate the Fourth Amendment occurs when an officer approaches an individual to make a casual and brief inquiry and the individual remains free to leave. The test for whether a reasonable impression existed that the individual was free to leave is 'what a reasonable person, innocent of any crime, would have thought had he been in the citizen's shoes. *Woodson v. State*, 960 N.E.2d 224, 227 (Ind. Ct. App. 2011).

As an illustration, in *Overstreet v. State*, the defendant pulled into a gas station and was fueling his vehicle. An officer pulled his vehicle behind the defendant without activating his lights, approached him, asked for identification, and questioned him about some suspicious activity the officer had observed. The Court held that this was a consensual encounter. 724 N.E.2d 661 (Ind. Ct. App. 2000). Additionally, in *Jefferson v. State*, 780 N.E.2d 398, 404 (Ind. App. 2002) the Indiana Court of Appeals held that “no seizure occurs from the simple act of an officer approaching the occupant of a parked car to ask a question.”

Consensual encounters between police and citizens can escalate into seizures. The Indiana Court of Appeals has observed that a “situation could escalate to a seizure ‘when a police officer orders a suspect to freeze or get out of the vehicle. The Fourth Amendment may also be implicated when police ‘box in’ a suspect’s vehicle, approach the vehicle ‘on all sides by many officers,’ point a gun at the suspect, or order the suspect to place his hands on the wheel.’” *Id.* However, that is not the case in this matter. The Officers testified that they did not use lights or sirens or use any force as they were approaching the Defendant on their police bicycles.

The Defendant’s action of shoving his hand into his pocket, not the rule violation, led to the Officers performing a pat-down of the Defendant. The period of time prior to the Officers patting down the Defendant was consensual, and Defenses’ assertion that this case should be dismissed because the Officers don’t have the authority to enforce the park rules should be denied.

/s/ Brandon Townsend

Brandon Townsend

Deputy Prosecuting Attorney

### **CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been served upon the defendant via his counsel of record by either personal service, first class U.S. mail, or by placing a copy in the public defender's mailbox, on this the date of filing.

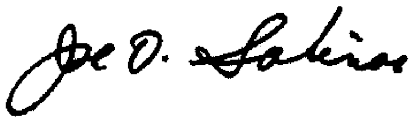
/s/ Brandon Townsend

Brandon Townsend

Deputy Prosecuting Attorney

Marion County Prosecutor's Office  
251 East Ohio Street, Suite 160  
Indianapolis, Indiana 46204  
(317) 327-5466

Court will address at the next PTC/hearing date

A handwritten signature in black ink, appearing to read "Joe D. Sakias". The signature is written in a cursive, flowing style.

**June 29, 2018**

**Courtroom Minutes – Criminal Pre-Trial/Guilty Plea**

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723  
Hearing: Final PreTrial Conference 06/13/2018 1:30 PM

**RESOURCES**

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: HR

**RESULTS**

☒ Commenced & Concluded ☐ Continued ☐ Vacated  
☒ State by Deputy Prosecutor / ☐ Townsend  
☒ Defendant in Person ☒ by counsel James Michael Anthony McGinley / ☐ \_\_\_\_\_

**WARRANTS**

☐ [ADMFTA] Failure to Appear. ☐ Defendant WILLIE HEMPHILL / ☐ \_\_\_\_\_  
☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_  
☐ Bench Warrant Recalled

**WARRANT SURRENDERS**

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond  
☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond  
☐ [OSR] Order to release surety  
☐ [OCOS] Surety is continued  
☐ [OLS] Late Surrender Fees Owed  
☐ [OFBO] Order to Forfeit Bond

*\* motion to  
Dismiss  
u/A*

**HEARINGS**

Future Hearing Type: HR Date: 6.25.18 Time: 1:00pm  
Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ 6/13/2018 Hearing(s) Vacated

**INTERIM CONDITIONS**

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

**EVENTS/ORDERS**

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.  
☐ [NINP] Notice of Intent to Not Prosecute  
☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense  
☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested  
☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court  
☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry  
☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_  
☐ [RDHC] Request For Defendant to be Held in Custody  
☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_  
☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold  
☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.  
☐ [PDPAGR] Pretrial Diversion Agreement Filed ☐ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.  
☐ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☐ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

- ☐[MET] S / D Motion for Early Trial Filed ☐[OGMET] Granted ☐[ODMET] Denied
- ☐[MTD] S / D Motion To Dismiss. Count(s) \_\_\_\_\_. ☐[OGMTD] Granted ☐[ODMTD] Denied
- ☐[MLA] S / D Motion for Leave to Amend. Charge(s). ☐[OGMLA] Granted ☐[ODMLA] Denied
- ☐[MT] S / D Motion to Terminate. \_\_\_\_\_. ☐[OGMT] Granted. ☐[ODMT] Denied.
- ☐[MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐[OGMARB] Granted. ☐[ODMARB] Denied.
- ☐[MCRH] S / D Motion for Compliance/ Hearing Review Filed. ☐[OGMCRH] Granted. ☐[ODMCRH] Denied.
- ☐[JAD] Taken Under Advisement. \_\_\_\_\_.
- ☐[ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐[SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_.
- ☐[ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐[ARJTRNO] Transport Order Entered. \_\_\_\_\_.
- ☐[ADMCON] Contempt. \_\_\_\_\_.
- ☐[ADM] Defendant Removed from Interim Pre-trial Release Conditions.
- ☐[BMVSUSP] Court Requests Suspension of Driver. ☐[BMVSUSPOWI] Court Requests Suspension of Driver for OWI.
- ☐Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐[BMVPCFSUSP] Failed with Immediate Suspension. ☐[BMVPCRSUSP] Refused with Immediate Suspension.
- ☐[BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐[BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
- ☐[BMVPCFINT] Failed with Court Ordered Ignition Interlock. ☐[BMVPCRIINT] Refused with Court Ordered Ignition Interlock.
- ☐[BMVSR16DEF] Delete a Probable Cause Failure. ☐[BMVSR16DER] Delete a Probable Cause Refusal.
- ☐[BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐[BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

Count 1	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____
Count 2	<input type="checkbox"/> Finding of Guilty	<input type="checkbox"/> Finding of Not Guilty	<input type="checkbox"/> Dismissed	<input type="checkbox"/> _____

#### SENTENCE

☐[INCON] CONFINEMENT-----

Sentence Type: ☐Sentenced ☐Remanded ☐Reversed & Remanded Actual Days Confined Prior to Sentencing: \_\_\_\_\_.

Count 1	<input type="checkbox"/> Term _____ Years _____ Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____ Years _____ Days	<input type="checkbox"/> DOC	<input type="checkbox"/> Consecutive
	<input type="checkbox"/> Life	<input type="checkbox"/> Community Corrections	with Count/Case:
	<input type="checkbox"/> Death		_____

Comment:

Count 2	<input type="checkbox"/> Term _____ Years _____ Days	Type: <input type="checkbox"/> Jail	<input type="checkbox"/> Concurrent
	<input type="checkbox"/> Suspended _____ Years _____ Days	<input type="checkbox"/> DOC	<input type="checkbox"/> Consecutive
	<input type="checkbox"/> Life	<input type="checkbox"/> Community Corrections	with Count/Case:
	<input type="checkbox"/> Death		_____

Comment:

☐[FEE] FEES -----

☐Add Standard Fees ☐Add Custom Fees

☐[ACOND] CONDITIONS -----

☐[ACRF] Abstract: Credit Restricted Felon. ☐[ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.

☐[AMHC] Abstract: Mental Health Concerns. ☐[API] Abstract: Purposeful Incarceration.

☐[AMAX] Abstract: Recommended Degree of Security – Maximum. ☐[AMED] Abstract: Recommended Degree of Security – Medium.

### Courtroom Minutes – Criminal Pre-Trial/Guilty Plea

State of Indiana v. **WILLIE HEMPHILL** Case Number: 49G14-1611-F6-043092 Gallery Number: 000000683723

Hearing: Pretrial Conference 06/25/2018 1:30 PM

#### RESOURCES

Hearing Judge: ☒ Jose D Salinas / ☐ COM / ☐ MAG / ☐ TJ / ☐ PT / ☐ SR \_\_\_\_\_

Court Reporter: H-R

#### RESULTS

☒ Commenced & Concluded ☐ Continued ☐ Vacated

☒ State by Deputy Prosecutor / ☐ Townsend

☒ Defendant in Person ☐ by counsel James Michael Anthony McGinley / ☐ \_\_\_\_\_

#### WARRANTS

☐ [ADMFTA] Failure to Appear. ☐ Defendant **WILLIE HEMPHILL** / ☐ \_\_\_\_\_

☐ Bench Warrant issued ☐ Hold without bail or Bond / ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ Bench Warrant Recalled

#### WARRANT SURRENDERS

☐ [OTCOB] Order to terminate Notice to Produce on Cash Bond

☐ [OTSOP] Order to terminate Notice to Produce on Surety Bond

☐ [OSR] Order to release surety

☐ [OCOS] Surety is continued

☐ [OLS] Late Surrender Fees Owed

☐ [OFBO] Order to Forfeit Bond

#### HEARINGS

Future Hearing Type: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Interpreter: ☐ Yes Language Needed: \_\_\_\_\_ ☐ Hearing(s) Vacated

#### INTERIM CONDITIONS

☐ Interim Conditions Set/Modified. See Order of Interim Pre-Trial Release Conditions.

#### EVENTS/ORDERS

☐ [RP] Report to Probation. ☐ [RCC] Report to Community Corrections.

☐ [NINP] Notice of Intent to Not Prosecute

☐ [ARC] Advisement of Rights Conducted ☐ [QCSIC] Indigent Counsel Appointed at County Expense

☐ [QCSINT] Interpreter Services Used ☐ [QCSDP] Death Penalty Requested ☐ [QCSLWOP] Life Without Parole Requested

☐ [QCSDC] Order of Acceptance into Drug Court ☐ [QCSRE] Order of Acceptance into Re-Entry Court

☐ [RWJ] Request to Waive Jury ☐ [AJAJTD] Jury Trial Demand filed ☐ [ADMBRE] Bail Review Entry

☐ [ARJBOND] Court Sets Bond. ☐ 10% ☐ Cash Bond of \_\_\_\_\_ and/or ☐ Surety Bond of \_\_\_\_\_.

☐ [RDHC] Request For Defendant to be Held in Custody

☐ [DHC] Defendant to be Held in Custody. *As to this Case.* ☐ No Bond. ☐ Hold Until \_\_\_\_\_.

☐ [DHC] Defendant to be Held in Custody. ☐ Probation ☐ Community Corrections ☐ Parole ☐ 7 Day Hold ☐ 15 Day Hold

☐ [OPIR] Order for Presentence Investigation Report ☐ [ADMPIR] PSI Report Filed.

☐ [PDPAGR] Pretrial Diversion Agreement Filed ☒ [PAF] Plea Agreement Filed ☐ [ARJJRJ] Judge Recuses Jurisdiction.

☒ [MPPA] S / D Motion to Enter Plea Pursuant to Plea Agreement. ☒ [OGMPPA] Granted. ☐ [ODMPPA] Denied.

☐ [MET] S / D Motion for Early Trial Filed ☐ [OGMET] Granted ☐ [ODMET] Denied

- ☒ [MTD] S / D Motion To Dismiss. Count(s) 1 ☐ [OGMTD] Granted ☐ [ODMTD] Denied
- ☐ [MLA] S / D Motion for Leave to Amend. Charge(s). ☐ [OGMLA] Granted ☐ [ODMLA] Denied
- ☐ [MT] S / D Motion to Terminate. ☐ [OGMT] Granted. ☐ [ODMT] Denied.
- ☐ [MARB] S / D Motion for Alteration/Revocation of Bail Bond Filed ☐ [OGMARB] Granted. ☐ [ODMARB] Denied.
- ☐ [MCRH] S / D Motion for Compliance/ Hearing Review Filed. ☐ [OGMCRH] Granted. ☐ [ODMCRH] Denied.
- ☐ [JAD] Taken Under Advisement. \_\_\_\_\_
- ☐ [ORCOA] Order to Release from Custody to be Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_
- ☐ [SBDOA] Upon Satisfaction of Bond, Defendant Held for Other Agency. ☐ Community Corrections / ☐ \_\_\_\_\_
- ☐ [ORC] Defendant WILLIE HEMPHILL released as to this case only
- ☐ [ARJTRNO] Transport Order Entered. \_\_\_\_\_
- ☐ [ADMCON] Contempt. \_\_\_\_\_
- ☐ [ADM] Defendant Removed from Interim Pre-trial Release Conditions.
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- ☐ Driver's License Suspension. PC Suspension Date: \_\_\_\_\_. BAC Refused: Y / N. BAC Result: \_\_\_\_\_. Drugs Involved: Y / N.
- ☐ [BMVPCFSUSP] Failed with Immediate Suspension. ☐ [BMVPCRSUSP] Refused with Immediate Suspension.
- ☐ [BMVPCFSBMV] Failed with Suspend Upon Notice from BMV. ☐ [BMVPCRSBMV] Refused with Suspend Upon Notice from BMV.
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- ☐ [BMVTERM] Order to Terminate Refusal of Probable Cause Sent to BMV.
- ☐ [BMVSR16PRO] Probationary Driving Privileges Data Sent to BMV.

#### JUDGMENT

- Count 1 ☐ Finding of Guilty ☐ Finding of Not Guilty ☒ Dismissed ☐ \_\_\_\_\_
- Count 2 ☒ Finding of Guilty ☐ Finding of Not Guilty ☐ Dismissed ☐ \_\_\_\_\_

#### SENTENCE

☐ [INCON] CONFINEMENT \_\_\_\_\_

Sentence Type: ☐ Sentenced ☐ Remanded ☐ Reversed & Remanded Actual Days Confined Prior to Sentencing: 62+62

- Count 1 ☐ Term \_\_\_\_ Years \_\_\_\_ Days Type: ☐ Jail ☐ Concurrent
- ☐ Suspended \_\_\_\_ Years \_\_\_\_ Days ☐ DOC ☐ Consecutive
- ☐ Life ☐ Community Corrections with Count/Case: \_\_\_\_\_
- ☐ Death

#### Comment:

- Count 2 ☐ Term \_\_\_\_ Years 124 Days Type: ☐ Jail ☐ Concurrent
- ☐ Suspended \_\_\_\_ Years 0 Days ☐ DOC ☐ Consecutive
- ☐ Life ☐ Community Corrections with Count/Case: \_\_\_\_\_
- ☐ Death

#### Comment:

TIME SERVED; NO PROBATION

☐ [FEE] FEES \_\_\_\_\_

☐ Add Standard Fees ☐ Add Custom Fees

☐ [ACOND] CONDITIONS \_\_\_\_\_

- ☐ [ACRF] Abstract: Credit Restricted Felon. ☐ [ADOC] Abstract: Currently Serving a Sentence Under DOC Custody.
- ☐ [AMHC] Abstract: Mental Health Concerns. ☐ [API] Abstract: Purposeful Incarceration.
- ☐ [AMAX] Abstract: Recommended Degree of Security – Maximum. ☐ [AMED] Abstract: Recommended Degree of Security – Medium.
- ☐ [AMIM] Abstract: Recommended Degree of Security – Minimum.



STATE OF INDIANA

COUNT OF MARION

STATE OF INDIANA

vs

Willie Hemphill

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION, ROOM 14

49G14- 1611-F6-043092 ✓

49G14- 1706-F6-023639 ✓

49G14- 1709-F6-036104

49G14- 1805-F6-014097 ✓

**PLEA AGREEMENT**

Comes now the State of Indiana, by its Deputy Prosecuting Attorney, and the Defendant, in person and by counsel, and hereby enters into the following plea agreement.

1. The Defendant will plead guilty to: 49G14- 1611-F6-043092 Count: 2.800 Crime: Poss. Of Marijuana BM  
49G14- \_\_\_\_\_ Count: \_\_\_\_\_ Crime: \_\_\_\_\_  
49G14- 1805-F6-014097 Count: 1 Crime: Resisting Law Enforcement F6  
49G14- 1805-F6-014097 Count: 2 Crime: Driving While Suspended AM

2. The State will dismiss the following offense(s): 49G14-1611-F6-043092 Count 1 ; 49G14-1706-F6-023639;  
49G14-1709-F6-036104; 49G14-1805-F6-014097 Count 3

3. Count and Cause: 49G14-1611-F6-043092 Count 2  
124 Total Days 0 Suspended 124 Executed 62 + 62 Credit Time 0 Probation

Placement for Executed Time Shall Be: MCI

☒ No AMS ☐ AMS Up Front ☐ AMS Upon Successful Completion of all terms ☐ AMS Open to Argument

5. Count and Cause: 49G14-1805-F6-014097 Count 1

545 Total Days 180 Suspended 365 Executed 0 + 0 Credit Time 180 Probation

Placement for Executed Time Shall Be: MCCC - HD

☒ No AMS ☐ AMS Up Front ☐ AMS Upon Successful Completion of all terms ☐ AMS Open to Argument

6. Count and Cause: 49G14-1805-F6-014097 Count 2 CONCURRENT TO 49G14-1805-F6-014097 COUNT 1

365 Total Days 0 Suspended 365 Executed 0 + 0 Credit Time 0 Probation

Placement for Executed Time Shall Be: MCCC-HD

☐ No AMS ☐ AMS Up Front ☐ AMS Upon Successful Completion of all terms ☐ AMS Open to Argument

7. Causes to be Served: ☐ Concurrently ☒ Consecutively

NOTE: The Defendant understands and acknowledges that placement into a specific Marion County Community Corrections program component depends on availability and that the defendant shall (or may) be held in custody pending availability.

☒ All standard conditions of probation or MCCC, including weekly random drug testing

☒ Substance Abuse Evaluation and Treatment ☒ \$200 Interdiction Fee

☐ Probation to Terminate upon successful completion ☐ Probation to become non-reporting upon successful completion

☐ Court shall determine initial placement with Marion County Community Corrections. MCCC may then place defendant in a program deemed appropriate.

☒ Fines, costs, and applicable fees left to the discretion of the court.

☒ Driver's Licesne Suspended for 365 days

☒ Other Conditions and Terms:

If Defendant violates MCCC-HD or Probation, Defendant agrees to served the remaining time in MCI.

If there are no violations while on MCCC-HD, Probation can become non-reporting

Prosecuting Attorney

Defendant

Defense Counsel

Date

6-25-2018

STATE OF INDIANA

COUNT OF MARION

STATE OF INDIANA

vs

Amanda Jones

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION, ROOM 14

49G14-\_\_\_\_\_

49G14-\_\_\_\_\_

49G14-\_\_\_\_\_

49G14-\_\_\_\_\_

**ADVISMENT AND WAIVER OF RIGHTS**

Before the Court may accept a GUILTY PLEA, you must be informed of certain facts and RIGHTS that you possess. You must READ this document carefully.

1. The State of Indiana has charged you with a Level 6 Felony or a Class A Misdemeanor.
2. The maximum penalty for a Level 6 Felony is two and one half years imprisonment and up to a \$10,000 fine and the minimum penalty is six months imprisonment. The Maximum penalty for a Class A misdemeanor is one year imprisonment and up to a \$5,000 fine and the minimum penalty is zero days imprisonment.
3. Notwithstanding paragraph two, if you have been charged with a Level 6 felony, the Court may enter your sentence as a Class A misdemeanor unless you have received such treatment on a prior, unrelated Class D or Level 6 Felony and that prior felony was committed within three years of the commission of this offense.
4. If you are pleading guilty to more than one (1) offense, the Court may impose penalties concurrently (e.g., together) or consecutively (e.g., one after the other).
5. If you were on probation, parole, were incarcerated, released on bond, or released on your own recognizance for another offense at the time that you committed this offense, your plea of guilty may have an adverse effect upon your probation, parole, or incarceration status. Any sentence that you may receive for this offense must be consecutive to any sentence that you may have or will receive on any other offense.
6. WH The defendant affirms that if he/she is not a citizen of the United States, he/she wishes to enter a guilty plea even if a conviction in this case results in deportation, denial of re-entry, prohibition of citizenship, or loss of any future immigration benefit.
7. If you have a prior history of juvenile or criminal offenses, you may receive a harsher penalty than you would otherwise.
8. WH You have the right to be represented by an attorney. If you cannot afford an attorney, the Court will appoint an attorney for you. You have the right to a continuance in which to hire an attorney and to have your attorney prepare your case and subpoena witnesses. If you choose to proceed without an attorney, you will be giving up these rights.
9. WH You have the right to a public and speedy trial by jury, the right to subpoena witnesses at no cost, the right to confront and cross examine witnesses against you, and the right to require that the State of Indiana prove you guilty beyond a reasonable doubt at a trial at which you do not have to testify but in which you may testify if you wish. If you choose to remain silent, your silence cannot be used against you, and you have the right to appeal any decision made by the Judge. By pleading guilty you will give up and waive each and every one of these rights.
10. Your guilty plea has been knowing and voluntary, and no promises, threats, or force have been used to make you plead guilty.
11. If the offense to which you are pleading guilty involves the operation of a motor vehicle, notice of your conviction will be sent to the Bureau of Motor Vehicles and will be placed on your driving record and may count toward you being a Habitual Traffic Violator.
12. If you and the State of Indiana have entered into a plea agreement on your case, and the Judge accepts your guilty plea, the Judge must follow the plea agreement and cannot alter the terms. Pursuant to Administrative Rule 9(G)(6)(a) and I.C. 35-33-3-3, the Defendant and the State waive the right to exclude the pending plea agreement from Public Access. If the Court rejects the plea, all of your rights will be restored to you.
13. You have been given the opportunity to read the Probable Cause Affidavit and Information filed in this case and the facts contained in it are true and constitute a factual basis for your plea.
14. WH You have a right, pursuant to the Sixth Amendment to the United States Constitution and Article 1, Section 13 of the Indiana Constitution, to have a jury determine, by proof beyond a reasonable doubt, the existence of any fact or aggravating circumstance that would allow the Court to impose a sentence in excess of the statutory presumptive sentence and to have the State of Indiana provide written notification of any aggravating circumstance. You hereby WAIVE such rights and request that the Judge of this Court make the determination of the existence of any aggravating and/or mitigating circumstances and impose sentence, after considering the pre-sentence investigation report and any appropriate evidence and argument presented at the sentencing hearing.

Willie Fleuphill  
Defendant

[Signature]  
Defense Counsel

6-25-2018  
Date

STATE OF INDIANA

COUNT OF MARION

STATE OF INDIANA

vs

Amanda Jones

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION, ROOM 14

49G14-  
49G14-  
49G14-  
49G14-

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3. Notwithstanding paragraph two, if you have been charged with a Level 6 felony, the Court may enter your sentence as a Class A misdemeanor unless you have received such treatment on a prior, unrelated Class D or Level 6 Felony and that prior felony was committed within three years of the commission of this offense.
4. If you are pleading guilty to more than one (1) offense, the Court may impose penalties concurrently (e.g., together) or consecutively (e.g., one after the other).
5. If you were on probation, parole, were incarcerated, released on bond, or released on your own recognizance for another offense at the time that you committed this offense, your plea of guilty may have an adverse effect upon your probation, parole, or incarceration status. Any sentence that you may receive for this offense must be consecutive to any sentence that you may have or will receive on any other offense.
6. WH The defendant affirms that if he/she is not a citizen of the United States, he/she wishes to enter a guilty plea even if a conviction in this case results in deportation, denial of re-entry, prohibition of citizenship, or loss of any future immigration benefit.
7. If you have a prior history of juvenile or criminal offenses, you may receive a harsher penalty than you would otherwise.
8. WH You have the right to be represented by an attorney. If you cannot afford an attorney, the Court will appoint an attorney for you. You have the right to a continuance in which to hire an attorney and to have your attorney prepare your case and subpoena witnesses. If you choose to proceed without an attorney, you will be giving up these rights.
9. WH You have the right to a public and speedy trial by jury, the right to subpoena witnesses at no cost, the right to confront and cross examine witnesses against you, and the right to require that the State of Indiana prove you guilty beyond a reasonable doubt at a trial at which you do not have to testify but in which you may testify if you wish. If you choose to remain silent, your silence cannot be used against you, and you have the right to appeal any decision made by the Judge. By pleading guilty you will give up and waive each and every one of these rights.
10. Your guilty plea has been knowing and voluntary, and no promises, threats, or force have been used to make you plead guilty.
11. If the offense to which you are pleading guilty involves the operation of a motor vehicle, notice of your conviction will be sent to the Bureau of Motor Vehicles and will be placed on your driving record and may count toward you being a Habitual Traffic Violator.
12. If you and the State of Indiana have entered into a plea agreement on your case, and the Judge accepts your guilty plea, the Judge must follow the plea agreement and cannot alter the terms. Pursuant to Administrative Rule 9(G)(6)(a) and I.C. 35-33-3-3, the Defendant and the State waive the right to exclude the pending plea agreement from Public Access. If the Court rejects the plea, all of your rights will be restored to you.
13. You have been given the opportunity to read the Probable Cause Affidavit and Information filed in this case and the facts contained in it are true and constitute a factual basis for your plea.
14. WH You have a right, pursuant to the Sixth Amendment to the United States Constitution and Article 1, Section 13 of the Indiana Constitution, to have a jury determine, by proof beyond a reasonable doubt, the existence of any fact or aggravating circumstance that would allow the Court to impose a sentence in excess of the statutory presumptive sentence and to have the State of Indiana provide written notification of any aggravating circumstance. You hereby WAIVE such rights and request that the Judge of this Court make the determination of the existence of any aggravating and/or mitigating circumstances and impose sentence, after considering the pre-sentence investigation report and any appropriate evidence and argument presented at the sentencing hearing.

Willie Fleuphill  
Defendant

[Signature]  
Defense Counsel

6-25-2018  
Date

STATE OF INDIANA	)	IN THE MARION COUNTY SUPERIOR COURT
	)SS:	CRIMINAL DIVISION ROOM 14
COUNTY OF MARION	)	CAUSE NUMBER: 49G14-1611-F6-043092
STATE OF INDIANA	)	
	)	
vs.	)	
	)	
WILLIE HEMPHILL	)	

**ORDER**

Comes now Defendant, Willie Hemphill, by counsel, James McGinley, having filed Defendant's Motion to Dismiss, in the following words and figures, to-wit:

(H.I.)

And the Court having examined same, being duly advised in the premises, and the State of Indiana having denied allegations set forth therein, now finds that a Hearing on the Motion should be granted.

IT IS THEREFORE ORDERED that this matter shall be set for a hearing on the  
 \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ - \_\_\_\_ .m.

SO ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
 JUDGE, MARION COUNTY SUPERIOR COURT  
 CRIMINAL DIVISION 14

DISTRIBUTION:

James McGinley  
 Marion County Prosecutor

STATE OF INDIANA	)	IN THE MARION COUNTY SUPERIOR COURT
	)SS:	CRIMINAL DIVISION ROOM 14
COUNTY OF MARION	)	CAUSE NUMBER: 49G14-1611-F6-043092
STATE OF INDIANA	)	
	)	
vs.	)	
	)	
WILLIE HEMPHILL	)	

**ORDER**

Comes now Defendant, Willie Hemphill by counsel, James McGinley, having filed Defendant's Motion to Dismiss, in the following words and figures, to-wit:

(H.I.)

And the Court having examined same, and being duly advised in the premises, and finding Allegation(s) \_\_\_\_\_ to be correct following either admission by the State or after a hearing, now finds the same should be granted.

IT IS THEREFORE ORDERED that ALL COUNTS of the Information in the above cause is hereby dismissed for jurisdictional impediment to conviction of the defendant for the offense charged pursuant to I.C. 35-34-1-4 (10).

\_\_\_\_\_  
JUDGE, MARION COUNTY SUPERIOR COURT  
CRIMINAL DIVISION 14

DISTRIBUTION:

James McGinley  
Marion County Prosecutor